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INVESTIGATION OF COMMUNIST INFILTRATION AND
PROPAGANDA ACTIVITIES IN BASIC INDUSTRY
(GARY, IND., AREA)

HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-FIFTH CONGRESS
SECOND SESSION

FEBRUARY 10 AND 11, 1958

Printed for the use of the Committee on Un-American Activities

INCLUDING INDEX



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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

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¹ Released by the committee and ordered to be printed.

PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 85TH CONGRESS

House Resolution 5, January 3, 1957

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * *

(q) Committee on Un-American Activities, to consist of nine Members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

26. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

SYNOPSIS

In Gary, Indiana, February 10 and 11, 1958, the Committee on Un-American Activities continued its investigation of Communist techniques and tactics of infiltration and the extent, character, and objects of Communist Party propaganda activities in basic industry. Fourteen witnesses testified in public hearings and three in executive session.

The committee obtained significant information from John Lautner, an active Communist Party member for more than 20 years before his expulsion from the party in 1950. Mr. Lautner had held many important positions of leadership, including section organizer of the Communist Party in New York City for a number of years, district organizer of the Communist Party in West Virginia for 5 years, member of the Nationality Commission of the Communist Party, member of the National Review Commission of the Communist Party, and Chairman of the Review Commission for the State of New York. He testified that steel is one of the basic industries on which the Communist Party must concentrate in its efforts to win over the decisive section of the working class.

Describing the tactical maneuvers of the Communist Party in its infiltration of labor unions, Mr. Lautner asserted that "colonizers" were sent to Gary, Indiana, for the purpose of building the party in the steel industry. He defined "a colonized Communist" as "one who is a professional revolutionary, who has uprooted himself from his home environment and carried out a party instruction, one who may have had personal problems, family problems, but that was secondary. The first was the problem of the party, and he submitted himself to become a person who will solve for the party their problems and became a colonized Communist to carry out Communist work in a basic industry."

The witness told the committee of classes conducted by J. Peters, a national functionary for the Communist Party, for colonizing members of the Communist Party. They were composed of bright young men from colleges and universities who were convinced "that a so-called bourgeois education and diploma have no future; that there is a better future for a bright and alert and, at the same time, loyal and devoted young party person to go into basic industry and come up with the grassroots and, in the course of a few years, become the leader of a large segment of workers in basic industries." These young men, he said, had more faith in the ultimate victory of communism than in the survival of our own way of life.

Referring to his wide experience as a functionary in the Communist Party and his observations since leaving the party, Mr. Lautner testified that "the main slogan of the party is to get back into the mainstream of labor because they are out of the mainstream now, and the best way to get back into the mainstream of labor would be to colonize capable Communist organizers in the basic industries and to

build fires under the existing leadership to create dissension in the labor movement, cleavages around leadership, and to enhance the party position along these lines until they can come back again into power in segments of the American labor movement."

Following Mr. Lautner's testimony, Edward Yellin was confronted with his application for employment with U. S. Steel, which concealed information that he had attended the City College of New York and the University of Michigan. When asked whether it is not a fact that when he made application at U. S. Steel he was doing it under the direction of the Communist Party, Yellin refused to answer. He likewise refused to state whether or not it is true that colonization by young men is a deep-seated Communist plan in basic industry. Yellin refused to answer all questions relating to his place of residence prior to August 1957, his formal educational training, his record of employment, his membership in the Communist Party at the time of making his application for employment by U. S. Steel, and his membership in the Communist Party at other times, including the time of the taking of his testimony. In refusing to answer, the witness did not rely on the self-incrimination clause of the fifth amendment, but asserted a claim that he was not required to answer by reason of the provisions of the first amendment.

A third witness, Robert Lehrer, a graduate of Rutgers University and an employee in the steel industry in Gary, refused to answer questions relating to the colonization of the steel industry in Gary by bright young men, relying upon the first amendment as the ground for his refusal to answer. He likewise refused to answer any questions relating to his educational training, his record of employment, Communist Party activities within basic industry at Gary, and his own Communist Party affiliations. He also refused to state whether or not he had concealed facts relating to his educational training in making application for employment by Carnegie Steel.

Both Yellin and Lehrer were identified as leaders in Communist Party activities in Gary by Joseph E. LaFleur, who had been a member of the Communist Party at the behest of the Federal Bureau of Investigation. LaFleur, in the course of his testimony, identified 32 persons as having been known to him as members of the Communist Party in Gary, 12 of whom were heard as witnesses during the hearings. Of these, 8 refused to answer material questions relating to Communist Party activities within the steel industry, relying upon either the fifth amendment or the first amendment as grounds for their refusal to answer, and 2 admitted former Communist Party membership. The witnesses Willard Malis and Lazo Rebraca denied that they had ever been members of the Communist Party.

The testimony disclosed a pattern of colonization of the steel industry by young men with excellent training and education who came into the area from New York City and elsewhere. It was apparent that a hard core of the Communist Party is actively engaged in the rehabilitation of the Communist Party in the steel industry in Gary.

INVESTIGATION OF COMMUNIST INFILTRATION AND PROPAGANDA ACTIVITIES IN BASIC INDUSTRY (Gary, Ind., Area)

MONDAY, FEBRUARY 10, 1958

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Gary, Ind.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met pursuant to call, at 10 a. m., in the council chamber, Municipal Building, Gary, Ind., Hon. Francis E. Walter (chairman of the committee) presiding.

Committee members present: Representatives Francis E. Walter, of Pennsylvania, and Gordon H. Scherer, of Ohio.

Staff members present: Frank S. Tavenner, Jr., counsel, and Raymond T. Collins, investigator.

The CHAIRMAN. The subcommittee will come to order.

Let the record show that, pursuant to law and the rules of this committee, I have appointed a subcommittee for the purpose of conducting these hearings composed of Representatives William M. Tuck, of Virginia; Gordon H. Scherer, of Ohio; and myself as chairman.

The order of appointment of the subcommittee will be set forth in the record at this point:

JANUARY 21, 1958.

To: Mr. Richard Arens
Staff Director
House Committee on Un-American Activities

Pursuant to the provisions of law and the rules of this Committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representatives Gordon H. Scherer and William M. Tuck, associate members, and myself, Francis E. Walter, as Chairman, to conduct hearings in Gary, Indiana, on Monday and Tuesday, February 10th and 11th, 1958, at 10:00 a. m., on subjects under investigation by the Committee and take such testimony on said days or succeeding days, as it may deem necessary.

Please make this action a matter of Committee record.

If any member indicates his inability to serve, please notify me.

Given under by hand this 21st day of January, 1958.

[S] FRANCIS E. WALTER,
Chairman, Committee on Un-American Activities.

The CHAIRMAN. The subject and legislative purposes of this hearing are reflected by the following extract taken from the minutes of a meeting of the committee held on January 15, 1958:

A motion was made by Mr. Scherer, seconded by Mr. Willis and unanimously carried, approving and authorizing the holding of hearings in Gary, Indiana,

beginning on the 10th day of February, 1958, or on such other date as the Chairman of the Committee may determine, and continuing from day to day, and time to time, until the hearings are completed, and the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following subjects and having the legislative purposes indicated.

1. The extent, character, and objects of Communist infiltration and Communist Party propaganda activities in basic industry in the Gary, Indiana, area, the legislative purpose being to obtain additional information for use by the Committee in its consideration of Section 16 of H. R. 9352, relating to the proposed amendment of Section 4 of the Communist Control Act of 1954, prescribing a penalty for knowingly and willfully becoming or remaining a member of the Communist Party with knowledge of the purpose or objective thereof, and for the additional legislative purpose of adding to the Committee's overall knowledge on the subject, so that Congress may be kept informed and thus prepared to enact remedial legislation in the national defense and for internal security when and if the exigencies of the situation require it.

2. Execution by administrative agencies concerned of Public Law 637, of the 83d Congress known as the "Communist Control Act of 1954," relating to the eligibility to exercise the rights and privileges provided under the National Labor Relations Act of labor organizations determined by the Subversive Activities Control Board to be Communist-infiltrated organizations. The legislative purpose is to assist Congress in appraising the administration of the Communist Control Act of 1954 and to enact such amendments thereto as the exigencies of the situation require.

3. Any other matter within the jurisdiction of the Committee which it or any subcommittee thereof, appointed to conduct this hearing, may designate.

Under the provisions of Public Law 601, 79th Congress, the Congress has placed upon this committee certain legislative and investigative duties and, in addition, the duty of exercising continuous watchfulness over the execution of any laws, the subject matter of which is within the jurisdiction of this committee. Accordingly, within the framework of this broad jurisdiction and objectives, this subcommittee of the Committee on Un-American Activities is here in Gary for the purpose of receiving testimony concerning Communist techniques and tactics of infiltration and the extent, character, and objects of Communist Party propaganda activities in basic industries. The importance of this area of inquiry from the standpoint of national security, cannot be overemphasized. Without this information, it would be impossible for the committee to carry out its legislative duties as required of it by the Congress.

In response to the mandate from the Congress to keep constant surveillance over existing security legislation, the committee is constantly surveying the operation of the Internal Security Act of 1950, the Foreign Agents Registration Act, the various espionage statutes, the Communist Control Act of 1954, and similar laws for the purpose of keeping Congress informed of the manner in which laws are being administered and for the purpose of recommending any needed legislative amendments. This mandate will be carried out at this hearing.

The committee recently formulated an Omnibus Security Bill, H. R. 9352, which represents the most comprehensive effort ever made to deal with all problems in the field of internal security. This bill combines numerous proposals for empowering the Government to combat the various aspects of the Communist conspiracy which are not dealt with adequately in our present laws. It is the hope of the committee that factual information obtained at this hearing will be of assistance in the consideration of the numerous provisions of this bill.

The committee is especially desirous of obtaining additional information for use in its consideration of Section 16 of H. R. 9352,

relating to the proposed amendment of Section 4 of the Communist Control Act of 1954, prescribing a penalty for knowingly and willingly becoming or remaining a member of the Communist Party with knowledge of the purpose or objective thereof.

When investigating Communists and Communist activities, this committee frequently has been met with the false and unfounded charge that it is merely seeking headlines: that we are a group of Fascists; that we are engaged in witch-hunting; and the like. Such charges will not dissuade us from our duty. We seek the facts and only the facts. In the conduct of this hearing, we are not interested in any dispute between labor and management, between one union and another union, or with disputes within a union. We propose to ascertain the facts on Communist activity irrespective of the field in which it occurs.

In the course of the last several hearings of the Committee on Un-American Activities, we have discovered a new technique practiced by Communists for the purpose of disguising their operations. Persons who have been identified by responsible witnesses, under oath, as Communists have themselves denied present technical membership in the Communist Party for the period of time beginning with the announcement of committee hearings. Time and again we have seen instances in which hard-core leaders of the conspiracy deny, while they are under oath, that they are present members of the Communist Party, but refuse to testify respecting past membership as recent as a week or so prior to the hearings or with respect to their contemplated future courses of action. This situation, coupled with our other sources of information, compel us to conclude that they have merely practiced the ruse of resigning technical membership for the purpose of deceit. It is hoped that this pattern will not develop during the hearings here in Gary.

It is the standing rule of this committee that any person identified as a member of the Communist Party during the course of the committee hearings will be given an early opportunity to appear before this committee, if he desires, for the purpose of denying or explaining any testimony adversely affecting him.

I would remind those present that a disturbance of any kind or audible comment during the testimony, whether favorable or unfavorable to any witness or the committee, will not be tolerated. Any infraction of this rule will result in the offender being ejected from the hearing room.

I am particularly happy to be able to say that in this eternal struggle against international communism your own Representative in the Congress, Ray Madden, has made a great contribution in the work that he did with respect to the Katyn massacres. That was a monumental job, and placing the blame where it belongs was long overdue. Your Representative certainly made a very fine contribution by his efforts in that field.

Mr. Tavenner, will you call your first witness?

Mr. TAVENNER. Mr. John Lautner, will you come forward, please?

The CHAIRMAN. Mr. Lautner, will you raise your right hand, please?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LAUTNER. I do.

The CHAIRMAN. Take a seat, please.

TESTIMONY OF JOHN LAUTNER

Mr. TAVENNER. Will you state your name, please?

Mr. LAUTNER. My name is John Lautner.

Mr. TAVENNER. Where do you live, Mr. Lautner?

Mr. LAUTNER. In Youngstown, Ohio.

Mr. TAVENNER. When and where were you born?

Mr. LAUTNER. I was born on the 1st of January, 1902, in Hungary.

Mr. TAVENNER. Are you a naturalized American citizen?

Mr. LAUTNER. I am.

Mr. TAVENNER. When and where were you naturalized?

Mr. LAUTNER. I was naturalized in Youngstown, Ohio, in Judge Lyons' Common Pleas Court in June 1926.

Mr. TAVENNER. Mr. Lautner, have you had experience of any kind in the Communist Party of the United States?

Mr. LAUTNER. I did.

Mr. TAVENNER. Were you a functionary of the Communist Party?

Mr. LAUTNER. Yes.

Mr. TAVENNER. Over what period of time?

Mr. LAUTNER. Over a period of time for about 20 years, from about 1930 to about 1950, and I wouldn't exclude the time I was in the Armed Forces during the war.

Mr. TAVENNER. What period of time was that?

Mr. LAUTNER. That was from November 1942 to June 1945.

Mr. TAVENNER. Will you tell the committee, please, what your principal positions have been within the Communist Party? I want the committee to have a general background of your experience.

Mr. LAUTNER. Well, I was a section organizer of the Communist Party in New York City for a number of years. I was a district organizer of the Communist Party for 5 years in West Virginia. I was on the Nationality Groups Commission of the Communist Party 1941 and 1942 and then again in 1945.

Mr. TAVENNER. Let me interrupt you there again a moment. You say you were on the Nationality Commission——

Mr. LAUTNER. That is correct.

Mr. TAVENNER. —of the Communist Party.

Mr. LAUTNER. That is correct.

Mr. TAVENNER. Is that a nationwide organization?

Mr. LAUTNER. That is correct. It is a subcommittee of the National Committee of the Communist Party that specializes in carrying out Communist Party policies in the various nationality groups.

Mr. TAVENNER. Is that the highest authority within the Communist Party in that field?

Mr. LAUTNER. In that field, it is.

Then, I was a member of the National Review Commission of the Communist Party for a number of years.

Mr. TAVENNER. Just a moment. Tell the committee what is meant by the National Review Commission.

Mr. LAUTNER. The National Review Commisison is the disciplinary arm of the Communist Party. Its main function is to instill discipline and vigilance in the ranks of the party membership as to the carrying out of the party policies.

The CHAIRMAN. Since there is difficulty with the public address system, we will suspend for a few minutes.

(Brief recess.)

The CHAIRMAN. The committee will be in order.

Mr. TAVENNER. Now, Mr. Lautner, you did not finish. You were describing the function of the National Review Commission of which you were a member.

Will you continue?

Mr. LAUTNER. That is right. I got as far as guiding the party to instill discipline and vigilance in the ranks of the Communist Party and to process disciplinary cases that were rendered in the lower organizations of the party and make disciplinary decisions and recommendations pertaining to these cases.

Mr. TAVENNER. Was this the highest authority in the United States within the Communist Party within this field?

Mr. LAUTNER. Subject to approval of our decisions by the National Secretariat, it was the highest authority on discipline. In addition to that, I was chairman of this Review Commission in New York State in 1947, '48 and '49, up to the time I left the Communist Party in 1950.

In addition to that, also I taught numerous classes in the Communist Party on Marxism, Leninism, on political economy, on party organization and party structure, and in return I was a student in two national training schools in the Communist Party.

Mr. TAVENNER. What were those national training schools?

Mr. LAUTNER. The national training schools were a selected group of Communist functionaries, high functionaries who were brought together and were assigned to study for a number of months Marxism, Leninism, and all the related problems to Marxism and Leninism.

Mr. TAVENNER. You say that you left the Communist Party in 1950?

Mr. LAUTNER. That is correct.

Mr. TAVENNER. Have you been connected with it in any way since that time?

Mr. LAUTNER. No.

Mr. TAVENNER. I think the committee should understand the circumstances under which you left the Communist Party.

Mr. LAUTNER. Well, I left the Communist Party involuntarily on the 17th of January, 1950. I picked up the Daily Worker and I saw my picture and an expulsion notice in the Daily Worker at that time.

Prior to that I was subjected to indignities and torture, if you please, five hundred miles away from where I resided by Communist Party functionaries.

Mr. SCHERER. You were subjected to—

Mr. LAUTNER. Indignities and torture and unfounded accusations.

Mr. SCHERER. Will you describe those indignities and tortures and the circumstances.

Mr. LAUTNER. Yes. In late December 1949, I was approached to make an application for a passport that I am invited to Hungary as a guest of the Hungarian Communist Party.

Mr. TAVENNER. May I interrupt you there?

Did you hold any position in this country in a language group at that time?

Mr. LAUTNER. At that time, no. I was a member of the National Review Commission of the Communist Party and chairman of the New York State Review Commission.

Needless to say, I didn't get my passport because, the explanation was by Mrs. Shipley, due to the Vogeler case with Hungary at that time, there was a strained diplomatic relationship between the two countries and they did not advise any American citizen to go to Hungary at that time. So I was turned down.

I reported this to the party. Well, I was told to forget about it. A few weeks later, I was approached again to go to Cleveland, Ohio, on an assignment, to meet the person who was in charge in the Midwest to prepare the party to go underground; and I was going to have some conferences with him to help him accelerate his work and bring it up to the same level that we had it in New York at the time.

Instead of meeting that person in Cleveland, Ohio, I found myself in a cellar with three thugs that I never saw in my life before. They stripped me naked, completely, even I had to take my socks off, and they began to—well, they were knocking the wall with rubber hoses, they had butcher knives, and they had revolvers. As this was going on, 3 high functionaries of the Communist Party came down in the cellar, Joe Brandt, Saul Wellman, and Jack Kling, the national treasurer of the Communist Party; and they rigged up a recording machine and they started to interrogate me about my connections with the Government, with the FBI, and with the CIA. I didn't even know at that time what the CIA was. And I protested my innocence, and the more I protested, the angrier they got. I was interrogated for a number of hours and finally, through my own resourcefulness, I convinced them that it wouldn't be profitable for them to do away with me at that time.

I was told to resume the hearing next day—the so-called hearing. I was given my clothes back. They searched them thoroughly. I never saw them after that, and this was on the 14th of January in Cleveland.

On the 17th of January I was back in New York. I picked up the Daily Worker and there I was accused of being an enemy agent of long standing in the Communist Party. And that was the end of my membership in the Communist Party.

Mr. TAVENNER. Were you at that time a representative of the Federal Bureau of Investigation or any other Government agency?

Mr. LAUTNER. No; I was not.

Mr. TAVENNER. What was the basis of this charge that was made against you?

Mr. LAUTNER. During the war I was in Psychological Warfare. I was sent to Camp Ritchie. I went through the Military Intelligence Training School there, the War Department Military Training School. After graduation I was assigned, solely on my ability, as a linguist and knowing journalism and propaganda. I was assigned to Eisenhower's headquarters in Algiers.

Mr. SCHERER. Were you a member of the Communist Party at that time?

Mr. LAUTNER. Technically I was not because there was a party decision at that time that all those members who are inducted in the Army are automatically released from party membership. The reason is given that they could not carry out the primary obligations, the most elementary obligations of a party member, that is, to attend

meetings and pay dues. So we were released from the party for the duration.

Mr. SCHERER. You actually were a Communist, though?

Mr. LAUTNER. Yes. But technically I was not a party member I was assigned to Eisenhower's headquarters. I was assigned to establish a monitor team to monitor enemy radio stations in Algiers; and later on we were transferred to a field unit out in Italy, known as the Balkan Team of AFHQ, Allied Forces Headquarters, to monitor all enemy stations there and to make daily reports. And in addition to that I was also assigned to write script, and for over a year I was also on the radio in Bari, Italy, speaking towards Hungary at that time.

Now, in my unit, there was a person who was a Spanish veteran, who joined the British Army, and he was assigned to my unit. I was told to take care of him. In the course of our work I got acquainted with him, and it was a situation where we at the same time had to build up a news service and a monitoring system for the Yugoslavs in 1943 and '44 in Bari, Italy. In the course of our work we got acquainted with a lot of Yugoslavs, too, and everybody was introducing everybody to everybody.

In 1949, this person appeared in a trial in Hungary. At that trial a number of high officials of the Communist Government, like Laszlo Rajk and others were accused of being Tito agents. This fellow was one of the witnesses against Rajk and the others who were hanged by the Communist Government and shot by the Communist Government.

My name was mentioned, and he said that I was the one who introduced him to Tito agents during the war in Bari, Italy.

Well, in 1944, '43 and '45 there was no issue of Titoism. It just didn't exist. However, I was implicated in the Rajk trial in '49 and the international leadership, whether it was Rakosi or others, in Moscow, sent instructions to this party to get rid of me and get rid of me fast.

That is where my predicament started with this party over here, and I know it was done by this party reluctantly, because I was involved in very sensitive work in 1948 and 1949 in this country.

Mr. TAVENNER. That was Communist Party work?

Mr. LAUTNER. Communist Party work. I was in charge of building the horizontal features of the underground in New York State. And I would not be entrusted by the Communists with that sort of a function if they had any suspicions about my loyalty to the party.

So that is the situation of my expulsion.

Mr. TAVENNER. After that word came down from Moscow to get rid of you, was it then that you were told to go to Hungary?

Mr. LAUTNER. First, to Hungary, and that didn't work out; and I was told to go to Cleveland, and that didn't work out, because—the way I reflect today—the person who was in charge of that wrecking crew, Jack Kling, he got yellow, he was afraid.

Mr. TAVENNER. Mr. Lautner, in view of the splendid work that you have exhibited in fighting communism since 1950, we are very glad indeed that your application for a passport to Hungary was denied.

Mr. Lautner, the principal purpose of the hearing in Gary is to receive testimony relating to the techniques and strategy of the Com-

munist Party within basic industry and to ascertain the extent, character, and objects of Communist Party activities within that field.

The committee would like to hear from you, if you know from your own experience over a 20-year period in the Communist Party, the principal purposes of the Communist Party in basic industry.

Mr. LAUTNER. Yes. Well, first, on the basis of my experiences, let me say that the Communist Party, in the course of my membership in it, was interested in all phases of human relationships in this country. The reason for that was to make headway in every strata of our society and our population over here. But in this effort, they always kept in the forefront the fundamental aims and objectives of the Communist Party in all of their activities in this country; and that fundamental aim and objective was to bring about a change, a fundamental change, in the social relationship of forces in this country, in society, to bring that fundamental change in society, in its political aspects, in its economic aspects, and in its social aspects; commonly, it is called bring about socialism in this country.

Now, in the course of years, in classes and in indoctrination courses, it was made clear that members of a Marxist-Leninist Party cannot dream or wish to bring about this change peacefully. Those that speak about peaceful achievement or peaceful transition into socialism have nothing in common with Marxism-Leninism. They are reformists and they are enemies and traitors of the working class. You can only bring about this change by force, because the United States is a very powerful monopoly, a capitalistic country who will not readily hand over their predatory power on a platter to the Communist Party or to any group in this country.

If that is so, therefore, the Communist Party must win, first of all, the decisive section of the working class on its side.

Now, where are the decisive sections of the working class? In the basic industries, such as mining, steel, metal, auto, packing, railroad, transportation—these are the industries on which the Communist Party must concentrate all its efforts, its talent, money, everything, to win these sections, first of all, over to the cause of Marxism and Leninism.

And I recall way back in 1932, when a turn was made in that direction after a long drawn-out factional fight and a relative stabilization set in, in the party under the leadership of Browder when he came into power, an open letter was issued to the Communist Party: "Face to the Shop." "Face to the Shop"; the slogan at that time was that we must begin to concentrate on basic industry, in basic industry, to basic factories and shops. Each has a reputation in a given community as to the way they go. The whole community thinks around them and revolves around them, and they drag the whole community around with them. In basic factories, concentration on basic departments, key departments; in key departments, to concentrate on key people; and shop units began to be built in many, many industrial regions in the country.

In steel, three districts were picked out for concentration in the early days. The Calumet region was one of them. Youngstown, Ohio, was another one. Pittsburgh and the whole Allegheny-Monongahela Valley, Susquehanna Valley, and the Allentown region with its steel industries was another.

So the slogan was practically imprinted on everyone in the Communist Party, particularly functionaries—key industry, key shop, key department, key people.

Well, that effort revolved around building the so-called revolutionary industrial unions in those days.

Mr. TAVENNER. They were called the Red unions, were they not?

Mr. LAUTNER. The Red unions, because they were affiliated with the Trade Union League, with the Profintern, which had its headquarters in Moscow. Foster was chairman of the Trade Union Unity League in this country at that time.

A whole crew of so-called skeleton unions were built up in this country during those days, like the Steel and Metal Workers Industrial Union, the Auto Workers Industrial Union, the Textile Workers Industrial Union, and the Transportation Workers Industrial Union, and a whole chain of unions like that. They didn't gain much foothold but had skeleton organizations in every industry in the country.

Mr. TAVENNER. May I interrupt you there?

Was one of the reasons, or the greatest reason, for the failure of the Communists in that undertaking the fact that the Communists found that they could not sell communism to the rank and file of labor when they used the Communist label to do it?

Mr. LAUTNER. It is correct in a respect. You see at that time we had the American Federation of Labor, organized labor was about three and one-half millions; but you had most of the basic industries, like steel, unorganized yet. The AFL had some segments in it, like the machinists and what not. But still, with all these subjective possibilities, the Communist Party could not make much headway in organizing in these basic industries.

Then a favorable turn came about in 1936. In 1936, first a Committee for Industrial Organization was formed that finally held its first convention in Pittsburgh as the Congress of Industrial Organizations; and all these skeleton organizations in the basic industries controlled by the Communist Party at that time went into the CIO, hook, line and sinker; and they gained a lot of strength in there, so that, in the course of years, they built up 13 international unions and had influence over approximately one-third of the CIO movement at that particular time.

Now, at that time I recall industrial conferences that were held. Those in the party were called to national committee meetings. I attended national committee meetings in 1936, 1937, 1938, 1939, 1940, and 1941. The key argument was always, "We are topheavy with Communist functionaries in trade union leadership and there is no bottom to it. There is no party organization in the bottom of these trade unions in these industries where the so-called party-controlled unions are operating."

Mr. TAVENNER. They did not have a sufficient ground root organization?

Mr. LAUTNER. That is right. The workers were much more practical. They didn't join.

Came the war and the party was still enjoying the support or decisive influence in the 13 unions; and after the war, a change, a switch took place.

The CIO leadership began to feel that this leadership in these 13 international unions affiliated with the Congress of Industrial Organizations was much more interested in carrying out and projecting a foreign policy that was just the opposite of the foreign policy of the United States, the Marshall Plan, the Truman Doctrine; and there came a time when the CIO leadership began to expel in toto all these unions from the Congress of Industrial Organizations. So that by 1947 the clashes began to develop, and by 1949 all these unions were expelled.

Mr. TAVENNER. Give us the names of a few of those unions.

Mr. LAUTNER. The United Electrical Workers Union, the Mine, Mill and Smelter Workers Union, the United Public Workers Union; the West Coast Longshore Union, and the Furriers Union. Thirteen of these international unions were expelled from the CIO.

So, here was a situation where many, many trade union leaders in these expelled unions began to take issue with the party leadership about the type of policies they were forced to pursue for the Communist Party in the trade union movements, and began to break away from the Communist Party and its influence. Mike Quill was one of them in the Transport Workers Union who made that break in the 1948 Presidential campaign.

Now, it is very interesting to see the practical maneuvering that went on inside the party projected by the so-called trade union specialists, Johnny Williamson and the others.

Mr. TAVENNER. Johnny Williamson was a defendant in the first Smith Act case?

Mr. LAUTNER. That is right. Johnny Williamson was the Labor Secretary of the Communist Party in this period.

We were accused at that time by Philip Murray that we were interfering in the internal problems of the CIO. Johnny Williamson called a meeting in New York of all the section organizers of the Communist Party who were in charge of infiltrating and influencing policies in the labor unions and projecting Communist policy in the labor union; and he came and gave a report to these industrial section organizers and said: "It is the considered judgment and the decision of the National Committee that we are not interfering in the internal problems of the unions."

He is telling that to the leaders of the party who are day to day interfering in the internal problems of the union. That is the kind of a tactical maneuvering that was going on at that time.

Now, I want to come up to 1945 when the Communist Party was reconstituted and Browder's revisionist policies were condemned and we went back to Marxism, Leninism, to the classics. Browder was accused that he tried to revise, to subvert, to reform, and to go away from, the basic principles of Marxism and Leninism. He was expelled. After the reconstitution, the party developed a three-prong program. First, to re-educate the party membership in Marxism and Leninism. The bulk of the party membership came in under Browder's leadership. Evidently there was a feeling that Browder still had a lot of influence over the party membership. Therefore, there

was a need for the re-education in Marxism and Leninism of the party membership.

The second prong was the reorganization of the Communist Party. The party was reconstituted in the South. The party established 32 districts, and the party began to streamline its organization on the basic levels, in the branches and sections, in order to make the party more mobile, in order to put the party leadership in a position where they can better supervise and give leadership in the day-to-day activities to the party membership, so that they can check up on everyone's activity who is a member of the party.

And the third phase of it was to reestablish again a concentration policy in basic industries.

Well, I took part as a party functionary in all 3 phases, all 3 aspects of the work on one level or the other.

But here I would like to point out that in preparation for the 1948 convention the party called industrial conferences; such industrial conferences were held in the Midwest here. I took part in the Eastern Seaboard conference in 1947 to make a survey of how far the party had developed its reorganization and to what extent did the party already begin to do concentration work. And at this Eastern Seaboard conference, also plans were laid for further acceleration of this program so that, by the 1948 convention when the delegates come to the party convention, they can report some experiences along these lines and can show some achievements along these lines.

In this period also a policy of colonization began. I want to make it clear over here that the party always had an eye on all these activities to bring about the realization of its final objectives, a complete fundamental change in our society, to gain control and to usher in socialism in our society.

Mr. TAVENNER. And how important was basic industry in the accomplishment of that object?

Mr. LAUTNER. The basic industries contained the decisive sections of the working class, without which the Communist Party cannot realize its fundamental objective.

Colonizers even were sent to this region. I know from my own personal experience two of them who were sent over here in that period of time. One was Joe Chandler, who just got back from the Army and was waiting for a reassignment and was reassigned to Gary, Ind., as a steel colonizer to build the party in the steel industry over here. Prior to that, his last assignment was that he was a section organizer in aluminum in the New Kensington Section of the Pittsburgh District of the Communist Party.

The other person who was reassigned was George Powers. George Powers was an old-time party functionary. In the 1930's when the party forces all went into the CIO, he was on the Steelworkers Organizing Committee and he worked around Ashland, Ky. There is a steel mill over there. He was assigned by the Steelworkers Organizing Committee to work around there. In 1946 and '47 he was the top party industrial organizer in New York on longshore. He was the party coordinator of Communist activities in the longshore industry. In 1947 he was sent down to the Calumet region as the party coordinator in steel, and by the 1948 convention he came to the New

York convention as a native Indianian who was working for the party in the Calumet region at that time.

Mr. TAVENNER. These were specially trained persons selected for the particular work to be done in the Gary area?

Mr. LAUTNER. That is correct.

Mr. TAVENNER. Do you know whether or not they used their real names here in Indiana or whether they operated under assumed names?

Mr. LAUTNER. I would not know. I assume that George Powers wouldn't use his real name.

Mr. TAVENNER. Would or would not?

Mr. LAUTNER. Would not.

Mr. SCHIERER. For the purpose of the record, we all know Calumet is part of the Gary area.

Mr. LAUTNER. Yes. Indiana Harbor, Hammond, the South Chicago area, and this steel area.

Mr. SCHIERER. How far is Calumet from Gary?

Mr. LAUTNER. The whole region is called the Calumet region.

Along these lines, other organizers were sent to other parts of the country to do the same type of party activity, to coordinate party work in the basic industries.

Now, in this period of time, the concentration policy of the party was in the forefront in all party activities. I know I myself was assigned in 1947 to go down to the New York waterfront. In New York there is no steel mill and there are no mines, but New York has also a basic key industry and that is transport.

New York has a shed over there, a teamsters' shed, one of the most powerful in the country. New York has docks, New York has railway centers. Chelsea was the region that was assigned to me to reorganize; and I was working for weeks to only make a survey as to the physical location of places—where are the teamster sheds; where do the American Railway Express workers hang out; where do the Pennsylvania Railroad workers hang out; where do the New York Central West Side Terminal workers hang out; where do the teamsters hang out; where do the longshoremens hang out? I made a survey on all these things.

Then we had to organize on the waterfront. We had the industrial sections already that worked in these specific industries as Communists, but we had to reassign Communist Party members in the community branches to implement, to help along those party members that were in the industry already, for leaflet distributions, 5 o'clock in the morning at shape-ups on the waterfront, to visit the homes of longshoremens and seamen, to visit the homes of Yugoslav stevedores, to visit the homes of railway workers and railway express workers, and to implement the industrial activities of the Communist Party industrial branches with concentration branches from the outside in the same direction.

Mr. TAVENNER. In other words, an important part of this plan of infiltration into basic industry included the organization of the families of the workers.

Mr. LAUTNER. That is correct, so that when the worker came home from his place of work and he will listen to his wife, his wife will tell him about the high cost of living and bad apartments and raise issues along these lines, where he heard the same thing on the water-

front from a different source, so there is a mutual understanding on problems, where they understand each other and become closer knit, closer allied with the Communist Party and its campaigns. I mean it was that type of a concentration activity that was projected along the waterfront in transportation.

By 1948, when the convention came along, Henry Winston, the organizational director of the Communist Party—

Mr. TAVENNER. He was also convicted in the first Smith Act case, was he not?

Mr. LAUTNER. That is correct—gave a report and in his report he also spoke on the organization of the party and the projection of its concentration policy; and in his report he stated that the reorganization already resulted in establishing over 3,000 Communist Party branches throughout the country, a whole slew of industrial sections, and between 400 and 500 industrial branches were established by the 1948 convention.

Again here I want to make it clear that the reason for this frantic effort on the part of the Communist Party after 1945 was to regain that foothold that it was beginning to lose because of the expulsion by the CIO of leadership of the Communist activity and disruption within the ranks of organized labor.

Now, after the 1948 convention, another organized effort was done in this direction. J. Peters, who was a national functionary at that time, organized a number of classes for colonizing party members.

Well, the classes were held in the board room of the New York State organization of the Communist Party, and my office doors were just 2 doors away, and I know Peters very closely, and I had a number of discussions with him, and I watched him work on his curriculum, on his material for presentation.

Now, these party members came in the main from colleges and universities.

Mr. TAVENNER. Young men?

Mr. LAUTNER. Young men. They were convinced that a so-called bourgeois education and diploma have no future; that there is a better future for a bright and alert and, at the same time, loyal and devoted young party person to go into basic industry and come up with the grassroots and, in the course of a few years, become the leader of a large segment of workers in basic industries.

Mr. TAVENNER. In other words, such individuals had to have more faith in the ultimate victory of communism than in the victory of our own way of life.

Mr. LAUTNER. That is correct. And unfortunately a lot of these boys fell for this line, and I know of two classes that were held in the board room in the spring of 1949. These boys, after graduation, uprooted themselves, and they became professional revolutionaries. A professional revolutionary is one who is loyal and devoted to the Communist cause, to the Communist Party, who goes wherever and whenever the party sends them to go, to whom—

Mr. SCHERER. Pardon me just a moment.

They became colonizers in industry, did they not? Many of them?

Mr. LAUTNER. That is right.

Mr. SCHERER. Would you tell us, for the purpose of the record, what is a colonizer?

Mr. LAUTNER. A colonized Communist is one who is a professional revolutionary, who has uprooted himself from his home environment and carried out a party instruction, one who may have had personal problems, family problems, but that was secondary. The first was the problem of the party, and he submitted himself to become a person who will solve for the party their problems and became a colonized Communist to carry out Communist work in a basic industry.

Mr. SCHERER. Many times were they not individuals who had a college education, perhaps one or more degrees? They would leave, say, New York City, and go to Detroit and, in filing an application for a job with a large industry, they would represent their educational attainments to be that only of a grade school student?

Mr. LAUTNER. Yes.

Mr. SCHERER. And thus gain a position on the assembly line?

Mr. LAUTNER. That is correct. They were following Lenin in "Left Wing' Communism: An Infantile Disorder," in which he chides some of the mistakes of party leadership on the question of trade union policies. I think in this instance it was the German party. Lenin said:

It is necessary to be able to withstand all this, to agree to any and every sacrifice, and even—if need be—to resort to all sorts of devices, manoeuvres, and illegal methods, to evasion and subterfuge, in order to penetrate into the trade unions, to remain in them, and to carry on Communist work in them at all costs.

This is the underlying principle on the basis of which these people will deny their name, will deny their education, will deny everything, because that denial furthers the aims and objectives of the Communist Party. It would be a liability for him to be a worker in the mill if he has a college degree; it wouldn't look good. There would be immediately a suspicion of an ulterior motive in that, so they are carrying out a Leninist policy when they do that.

Mr. SCHERER. They did have ulterior motives in concealing their educational qualifications. They misrepresented their backgrounds to gain a place on the assembly line, in order to be better able to indoctrinate others on that line.

Mr. LAUTNER. That is correct.

Mr. SCHERER. Was that the purpose?

Mr. LAUTNER. That was the purpose. And it doesn't necessarily involve only college graduates. It involves also long-standing party leaders, party functionaries who at one point are reassigned. Today he is an organizer of the Communist Party in the Bronx, and 2 weeks later, under a different name and with a different social-security card, he is working in an aircraft plant near Buffalo, near Niagara Falls, or working in the steel mills or working in an automobile plant up in Flint, Mich.

Mr. TAVENNER. Yes. I should remind the subcommittee that we received a considerable amount of evidence at Flint, Mich., of probably 8 or 10 instances of colonization of the exact type that you described.

The CHAIRMAN. I think the most dramatic case that I can conceive of was in North Carolina where college graduates were working in the fish industry scaling fish.

Mr. LAUTNER. That is correct.

The CHAIRMAN. Ph. D.'s and so on.

Mr. LAUTNER. That is correct.

Mr. TAVENNER. And also the incident of Colorado University, where the Communist Party leaders induced young men to leave in the midst of their educations and take positions in industry for the same purposes.

Mr. SCHERER. The tragedy of it is that the men who were working with them on the assembly line didn't know they had gotten their position by subterfuge.

Mr. LAUTNER. Well, the college boys, members of the Communist Party, were carrying out a Leninist line by denying their identity and using subterfuge.

Mr. TAVENNER. You told us about this class or several classes that were conducted by J. Peters, training young men in the universities to go out and engage in colonization in industry. I think we ought to know a little more about J. Peters so that we can better understand the training that he was giving these young men.

Mr. LAUTNER. J. Peters, I first knew him in 1929, at the time I joined the Communist Party. We were in the same unit in New York at that time. And at that time J. Peters was the business manager of the Daily Worker that moved from Chicago to New York and was housed at Union Square in the party building. In the course of time, J. Peters became the district organizational secretary of the New York District of the Communist Party. Later on he went to the Soviet Union. He was in the Soviet Union for a number of years. When he came back, he became a national functionary for the Communist Party. And in the late 1930's he was in charge of the Communist Party, for the national leadership of the Washington Party. There were two parties in Washington, D. C. One was the open party, operating with, I think, Chancey as the district organizer or District of Columbia organizer of the party, and J. Peters was the organizer of the party within the Government apparatus.

Mr. TAVENNER. Which obtained secret information from Government employees for the benefit of the Soviet Union?

Mr. LAUTNER. I read about it in the newspaper. I read a lot about that. I had no first-hand or personal knowledge of that. All I know was he was in charge of that.

Mr. TAVENNER. Mr. Chairman, this is a good place for the morning recess.

The CHAIRMAN. The committee will stand in recess for five minutes. (Brief recess.)

The CHAIRMAN. The committee will be in order.

Please proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Lautner, you have told us why basic industry was of great importance to the Communist Party, and you have told us of the objectives of the Communist Party within basic industry. Will you now tell us some of the tactics or methods used by the Communist Party in strengthening itself within basic industry.

Mr. LAUTNER. Well, the tactics varied from time to time. As I described, in the earlier days building industrial unions, revolutionary industrial unions; tactics were different in the time when the party had its so-called honeymoon in the CIO. The tactics varied around 1947-48, when these big unions in the CIO were being ousted. Here I would like to just point out one specific tactic that the party employed at that time. There was a law enacted known as the Taft-Hartley law. Now, when this law was being applied, the Communist

Party position was not to comply with the law; but this position was also the position of a number of other labor leaders who were not Communists. They had to sign loyalty forms in order to enable them to take cases to the National Labor Relations Board. But this tactic by the party wasn't fruitful so at one point the party had to change from noncompliance to compliance.

I personally know that in 1949, for example, there were Communist Party leaders, even members of the Central Committee who were long standing in Communist Party leadership and at the same time trade union leaders, and they publicly resigned—I would put this “resign” in quotation marks—from the Communist Party in order to enable that union to petition the National Labor Relations Board and to hear cases.

Other less-known Communist Party trade union leaders were told to send in a registered letter to the Communist Party, with a return address, and get hold of a registration slip that such letter was sent, to keep that registration coupon, and they should sign Taft-Hartley affidavits that they are not members of the Communist Party.

Now, with these envelopes when they came in they were instructed to put a blank sheet of paper in the registered letter, and we can always have as documentary evidence a registered letter by the United States postal offices that this person, on such-and-such a date, sent a letter to the Communist Party and you can always put in a letter of registration which is legally accepted documentary proof that they resigned from the Communist Party.

That was from noncompliance to compliance. These were some of the tactics which were used in relation to the Taft-Hartley law.

In 1949, the work of the party in carrying out concentration work in the basic industries was accelerated, and results were shown to the extent that the Communist Party was in a position to publish or produce an outline on industrial concentration. That outline already related some of the basic principles, Leninist principles, the need and necessity of an industrial concentration.

It also gives in the outline some examples of fruitful work, of positive achievements along this line; and this work served as a basis for further accelerating industrial concentration work in the ranks of the Communist Party.

I also would like to mention that in 1948—beginning around September 1948—the party was making preparations to go underground to enable the party, in the face of the political climate that existed at that time, to function as an organized force under any and all conditions.

Now, on the question of integration into the underground, into the “three” system, primary consideration was given, first to the absolute loyalty and devotion of the party member who was to be integrated into this organization; secondly, that he works in a trade union or has influence in the trade union where, as a concealed Communist, he will have enough elbow room to operate by concealing his Communist Party membership and, at the same time, do Communist work.

Now, since I left the Communist Party—even in 1949—there was a discussion that began, and since I am out of the party I followed very closely all Communist periodicals: The main slogan of the party is to get back into the mainstream of labor because they are out

of the mainstream now, and the best way to get back into the mainstream of labor would be to colonize capable Communist organizers in the basic industries and to build fires under the existing leadership to create dissension in the labor movement, cleavages around leadership, and to enhance the party position along these lines until they can come back again into power in segments of the American labor movement.

Mr. TAVENNER. Then, if I understand you correctly, based upon your vast experience in the party as a functionary and the study that you have given the problem through Communist periodicals since you got out of the party, you are prepared to say that today the Communist Party is making an all-out effort in the field of basic industry?

Mr. LAUTNER. That is correct; with their shrunken forces every effort is turned in that direction, to get back into the mainstream of labor.

The CHAIRMAN. Let me see if I understand you. You said they are building fires. By that do you mean the discrediting of the present leaders in labor unions?

Mr. LAUTNER. That is correct, Congressman. That is correct.

The CHAIRMAN. So that it is a Communist tactic to discredit the present leadership with the hope that dissension will be created and that more friendly people will be selected for leadership positions.

Mr. LAUTNER. That is right, that will tolerate, under the aegis of civil liberties and freedom of speech, Communist activities in the labor movement again.

The CHAIRMAN. But all the while the real objective and the identities of these people are concealed.

Mr. LAUTNER. That is correct.

The CHAIRMAN. I think it is a great tribute to the patriotism and loyalty and the appreciation of what our institutions mean to the ordinary common worker that deception has to be practiced in order to get a foothold.

Mr. LAUTNER. That is right. But may I say this, Congressman. It was my experience as a Communist organizer for 20 years, and since I am out of the party 8 years I begin to see that the American worker is a worker that has a lot of common sense. He will not swallow a sugar-coated pill, he will not swallow communism.

The CHAIRMAN. I wish all of the workers could have seen the lot of the workers in Yugoslavia, as I did not too many months ago. I am sure then that the dwindling membership would become practically nil overnight.

Excuse me. Go ahead.

Mr. LAUTNER. May I make just one more comment?

Even behind the Iron Curtain the workers somehow do not swallow this pill. Hungary somehow is a classic example. The workers revolted against the tyranny of the Communist Rakosi regime over there, and they learned one thing. They used against the Communist hierarchy and the Communist bureaucrats the same tactics that they learned from the Communists. They established workers' councils to fight the Communist leadership in Hungary. And wherever there is a little chance given behind the Iron Curtain for workers to assert their thinking and their rights, if that chance is given, well, you see the results of it.

The CHAIRMAN. They are seeking the chance only because they permitted infiltration.

Mr. LAUTNER. That is right.

The CHAIRMAN. That is one of the things Congress had in mind when it imposed upon this committee the very distasteful, very disagreeable task that we have; and it is very significant, I think, that when we just received our appropriation several weeks ago, despite what leftwing press segments have reported, there were scattered votes against the committee, there were 2 votes against the appropriation, 2 in the whole Congress. The vote was twice as strong as it was last year when there was only 1 vote against it.

Mr. TAVENNER. Now, you mentioned the question of bringing pressure to bear on leadership in the union through Communist plans. Was there a time when anyone from this area at a labor convention endeavored to speak out in behalf of communism against the leadership in labor?

Mr. LAUTNER. Yes. Well, the only incident that I can recall from this area was at the 1948 convention of the Communist Party, when one of the local Communists over here was put on the presiding committee of the 1948 convention. He was highly praised for the bravery and fortitude and the position that he took in carrying out his party assignment at the Boston convention of the United Steelworkers of America. And if I recall, the name of that person was Nick Migas.

The CHAIRMAN. How do you spell it?

Mr. TAVENNER. Do you know how to spell it?

Mr. LAUTNER. M-i-g-a-s, I think. He was from Gary, Ind. He was a local official. He was a delegate to the Boston convention and he fought Philip Murray openly on the floor against the Marshall Plan and the Truman Doctrine, carrying out the party line at that convention.

Mr. TAVENNER. So he was rewarded for that.

Mr. LAUTNER. In the 1948 National Convention of the Communist Party when he was put on the presidium and highly praised by Eugene Dennis, William Z. Foster, and Henry Winston.

Mr. TAVENNER. Were you at one time assigned to any special work within a language group?

Mr. LAUTNER. Yes. I was on the Nationality Groups Commission of the Communist Party in 1941 and 1942 and also in 1945 and 1946 and, specifically, I was National Secretary of the Hungarian National Bureau of the Communist Party.

Mr. TAVENNER. Now, in what way—or let me put it this way—did the Communist Party consider that foreign-language groups were of importance in connection with basic industry?

Mr. LAUTNER. That is correct. The party paid a lot of attention to nationality-group work because it is a fact that in basic industries you have a lot of nationality groups. You have Hungarians, Polish, Ukrainians, Rumanians, and what-have-you, that work in basic industries. They don't read the Daily Worker. Even the party groups in these nationality groups don't read the Daily Worker because they have difficulties in reading English. So the language bureaus of the Communist Party have newspapers like the Hungarians had the Hungarian Daily Journal, and various other nationality-group papers.

Now, these papers get into a lot of places where the Daily Worker or Sunday Worker could not get in; and these papers also reflect the party line, the party tactical line, and the party thinking and help the party in penetrating these various national groups who are employed in big industrial areas and basic industries.

Mr. SCHERER. For the record, we all know that the committee's hearings last year disclosed that at this moment there are 9,000,000 pieces of Communist propaganda coming into this country each year through the United States mails, much of it in foreign languages.

Mr. LAUTNER. From behind the Iron Curtain.

Mr. SCHERER. That is right.

Mr. LAUTNER. But in addition to that, there are local Communist language-papers in various languages. I remember in that hearing one of the Chicago language-papers had a circulation of 20,000. Now that paper, with a circulation of 20,000, propagating the Communist Party line gets into a lot of places, in the main, in the Chicago area. I think it was the Lithuanian paper. I think that is what it was, the Lithuanian paper in Chicago.

Mr. SCHERER. I am talking about propaganda coming in yesterday, today, and tomorrow.

Mr. LAUTNER. And every day, that is correct.

Mr. SCHERER. Not two years ago or three years ago or five years ago.

Mr. LAUTNER. That is correct.

Mr. TAVENNER. Did you attend the last national convention of the Communist Party or were you an observer there?

Mr. LAUTNER. I was not. I read about it. They had the proceedings out of the Sixteenth National Convention. I followed that pre-convention discussion in the Daily Worker and in the Worker, but I was not a member of the Communist Party. The last convention that I attended was in 1948.

Mr. TAVENNER. Now, did anything occur at that convention that you can recall which would demonstrate a special interest of the Communist Party in basic industry?

Mr. LAUTNER. You mean at this last convention?

Mr. TAVENNER. Yes.

Mr. LAUTNER. In 1956?

Mr. TAVENNER. Yes.

Mr. LAUTNER. Well, the party registered its sectarian policies of the past and concurred with the slogan raised in the last few years—that the primary problem of the party is to get back into the mainstream of labor; in order to accelerate this work to move its headquarters from New York to Chicago. Whether they move to Chicago I wouldn't know. I still see that they are hanging around New York. But that was made a decision to move their national headquarters to Chicago.

Mr. TAVENNER. To get closer to the basic industries?

Mr. LAUTNER. To the basic industries in the heart of America; that is right.

Mr. TAVENNER. I believe, Mr. Lautner, that concludes my questioning of you.

The CHAIRMAN. Mr. Lautner, I express the appreciation not only of those who were fortunate enough to hear you but our committee and the membership of the House. You have made a great contribution in this struggle. For that the American people are indebted to you.

Mr. LAUTNER. Thank you very much, Congressman.

The CHAIRMAN. Will you call your next witness?

Mr. TAVENNER. Mr. Edward Yellin, will you come forward, please?

The CHAIRMAN. Will you raise your right hand?

Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. YELLIN. I do.

The CHAIRMAN. All right, Mr. Tavenner.

Mr. TAVENNER. Have a seat please.

TESTIMONY OF EDWARD YELLIN, ACCOMPANIED BY COUNSEL, VICTOR RABINOWITZ

Mr. TAVENNER. Will you state your name please, sir.

Mr. YELLIN. Edward Yellin.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. RABINOWITZ. Victor Rabinowitz, New York.

Mr. TAVENNER. Where and when were you born, Mr. Yellin?

Mr. YELLIN. July 2, 1927, Bronx, New York.

Mr. TAVENNER. Where do you now reside?

Mr. YELLIN. Fort Collins, Colorado.

Mr. SCHERER. I cannot hear the witness.

The CHAIRMAN. Where?

Mr. YELLIN. Fort Collins, Colorado.

Mr. TAVENNER. How long have you lived at Fort Collins, Colorado?

Mr. YELLIN. Since just about September of '57.

Mr. TAVENNER. '50?

Mr. YELLIN. September '57.

Mr. TAVENNER. Where did you reside prior to—

Mr. RABINOWITZ. Mr. Counsel, I wonder whether it would be possible to read into the record the exchange of telegrams between myself and the committee in connection with the witness's testimony. I would like to have it appear in the record.

The CHAIRMAN. We will decide whether it will be made a part of the record when the executive session is held. Go ahead.

Mr. RABINOWITZ. Mr. Chairman, I sent the telegrams because I wanted them to appear. I do not care whether they appear publicly or not. I do want it to appear that that exchange of telegrams occurred. I did not do it just to increase the revenue of the telegram company.

The CHAIRMAN. Well, whatever the reason was, whether it has been stated or otherwise, it will be considered in executive session.

Mr. RABINOWITZ. May I state—

The CHAIRMAN. Do not bother. You know the privileges given you by this committee. You have appeared before it often enough. You know as well as anybody.

Go ahead, Mr. Tavenner.

Mr. TAVENNER. Mr. Yellin, where did you reside prior to September 1957?

(The witness conferred with his counsel.)

Mr. YELLIN. Mr. Tavenner, is that right?

Mr. TAVENNER. Yes.

Mr. YELLIN. Mr. Tavenner, if I may I would like to say just a few words before I answer that question to state my grounds as to what my position will be on answering questions.

The CHAIRMAN. Just answer this question, not your grounds for answering questions that have not been asked.

Mr. YELLIN. Then let me say that I feel that this question and this line of questioning will probably lead into certain areas of my freedom of beliefs, and I feel that I would like to say just a few words as to why I would not care to answer this question.

The CHAIRMAN. It is not the case of whether you care to answer or not. It is a question of do you or do you not answer the question.

(The witness conferred with his counsel.)

Mr. YELLIN. Mr. Congressman, let me put it this way then: I will refuse to answer that question, and I would like the privilege——

The CHAIRMAN. What is the question, Mr. Tavenner?

Mr. TAVENNER. The question was where the witness lived prior to September 1957.

The CHAIRMAN. And you feel honestly that if you answer the question of where you lived before September of last year, you might be confronted with a criminal prosecution, is that it?

Mr. YELLIN. No. I didn't say that.

The CHAIRMAN. You did not say that, but is that not what you mean?

Mr. YELLIN. May I say what my objections are? If I can say what they are——

The CHAIRMAN. Go ahead——

Mr. YELLIN. Then you can question.

The CHAIRMAN. Go ahead.

Mr. YELLIN. Since I received the subpoena to appear before this committee, I did the natural thing. I contacted counsel. I wrote to various sources for whatever legal information I could get, and I went to the public library to study as much of the law as I could.

Now, just the fact of being called before this committee creates a certain impression in the public eye which I do not like. I don't like to have my loyalty questioned or my character questioned. I feel that I have committed no crime. I have engaged in no acts——

The CHAIRMAN. Isn't this the best place to clarify the atmosphere? If you feel as you say you do, and I am sure that you do, is this not a great opportunity to eliminate whatever question might be in anybody's mind, particularly mine, about your activities?

Mr. YELLIN. Mr. Walter, I do not feel that this is the place for myself, as an individual and as a citizen, to discuss my beliefs, my associations, or whatever expressions of opinion I have ever made. I feel that ideas in the democratic process should be settled, should reach some kind of an understanding, in the market place of ideas and not at a congressional investigation. This is a personal opinion of mine. I believe the entire democratic process revolves around settling things in a free and open market, and this is not the place for it. This is a hearing. It is not an expression of public opinion.

Furthermore, after conferring with my counsel——

Mr. SCHERER. We are not asking you about your ideas or opinions. We are asking you about your activities within the conspiracy.

The CHAIRMAN. We are asking his address.

Mr. SCHERER. That is what we are going to ask him.

The CHAIRMAN. You don't know.

Mr. SCHERER. His activities with a conspiracy.

Mr. YELLIN. After conferring with counsel, I can only come to one conclusion, and that is that this line of questioning would infringe upon my rights under the first amendment to the Constitution. Now the Supreme Court in its recent decision in the Watkins and Sweezy cases has specifically stated that a legislative committee can only investigate the area pertinent to legislation. Now, the Constitution of the United States and the first amendment—

The CHAIRMAN. May I interrupt you at that point? I notice you have carefully avoided the Barenblatt case that followed the two cases that you mentioned, and in that case the Supreme Court held that we were charged with doing just exactly what we are doing now. That was U. S. against Barenblatt.

Mr. YELLIN. Mr. Congressman, I am not entirely familiar with the Barenblatt case.

The CHAIRMAN. You expressed great familiarity with the Watkins case.

Mr. YELLIN. The Supreme Court referred that case back to the court of appeals and the Supreme Court did not rule on this. It was just the court of appeals of some sort which just made this ruling, not the Supreme Court.

The CHAIRMAN. Then as a layman, I will straighten you out. What the Supreme Court did was to say that the decision of the Circuit Court of Appeals should stand and they refused to grant a writ of certiorari to review it.

Mr. RABINOWITZ. As a lawyer, Mr. Chairman, I would like the opportunity to straighten you out. But I guess this is not the chance.

The CHAIRMAN. You kind of lawyers could not straighten me out on anything. Go ahead, please.

Mr. YELLIN. May I continue, Mr. Congressman? I am not a lawyer.

Mr. TAVENNER. Let me interrupt you a minute. You constantly referred to "this line of questioning." The only question I have asked you is where did you live prior to September 1957.

Mr. YELLIN. Mr. Tavenner—

The CHAIRMAN. Certainly one question could not be construed as a line of questions. You have been asked only one question.

Mr. YELLIN. May I continue?

The CHAIRMAN. Why don't you answer the question? Where did you live? That is all we want to know.

Mr. YELLIN. I heard the previous witness. I read proceedings of this committee in past cases. I read the newspapers concerning the history of this committee. If I say this line of questioning, I should say this particular question. It is pretty obvious where the questions will lead from what has gone before. So it is no sense in pinning it down and waiting to later. It is going to lead to a certain point. There is no question about that.

Now the grounds on which I object are the following: That the first amendment to the Constitution specifically says that Congress shall make no law abridging the freedom of speech. Now, therefore, Congress cannot investigate in that area because they cannot legislate

in that area. Furthermore, nobody can investigate in my conscience, in my personal beliefs. I have committed no unlawful acts; and, therefore, any questioning can only lead to opinions, expressions, associations, and beliefs and not any unlawful acts. Therefore, under the first amendment, I think I am fairly reasonable in objecting to any questions that will lead toward that line, investigating my freedoms.

Secondly, I am informed that the enabling resolution of the Congress of the United States establishing this House Committee on Un-American Activities is very vague and, therefore, leads to the possibility that I could not be accorded my rights under due process of law, on the basis of the fact that the courts cannot properly judge what the intent of this committee is due to the fact that it was established under a rather vague resolution.

Furthermore, the courts have ruled that the only questions this committee can ask me as an individual are questions which can be pertinent to any legislation.

I don't feel this question is pertinent to any legislation the committee might be investigating and, furthermore, as I said before, the committee cannot even investigate legislation pertaining to the first amendment.

Therefore, I will have to respectfully submit that I cannot answer that question.

THE CHAIRMAN. You said, "I cannot." Of course, you are not under any prohibition. You could answer it. You mean, "I will not."

MR. YELLIN. I cannot under my own moral conscience to uphold the traditions under which I believe.

THE CHAIRMAN. Then you do not answer the question for those reasons, is that it?

MR. YELLIN. Yes, sir.

THE CHAIRMAN. All right.

MR. SCHERER. Now, Mr. Chairman, so that the record is clear, I ask that you direct the witness to answer the question.

THE CHAIRMAN. You are directed to answer the question. Where did you live prior to September 1957?

MR. YELLIN. Mr. Congressman, under the reasons I have submitted, I cannot answer that question.

THE CHAIRMAN. You mean you do not answer.

MR. YELLIN. I will not answer that question.

THE CHAIRMAN. All right.

MR. TAVENNER. You do not rely, in your refusal to answer, upon the self-incriminating clause of the fifth amendment. Is that correct?

MR. YELLIN. Yes, sir. That is correct. I am relying on my first amendment rights.

MR. TAVENNER. You were present when the opening statement was made by the chairman of this committee, were you not?

MR. YELLIN. Yes, sir; I was present at that time.

MR. TAVENNER. This is a hearing which involves a subject described by the chairman, and it relates to Communist Party activities within the area of Gary. As far as pertinency of the question is concerned, as to which you seem to express some doubt, it would be impossible for us to learn anything from you regarding Communist Party activities in this area without ascertaining whether or not you were here for a period of time.

Now, having explained that and given you that reason as a basis for the committee's asking you that question, I would like to ask the chairman to again direct the witness to answer.

The CHAIRMAN. You are directed to answer the question.

Mr. YELLIN. Mr. Congressman, I cannot answer that question for the grounds already submitted.

The CHAIRMAN. By that you mean that you do not answer. You refuse to answer.

Mr. YELLIN. I will not answer.

The CHAIRMAN. All right.

Mr. TAVENNER. Mr. Yellin, will you give the committee, please, briefly, your formal educational training?

Mr. YELLIN. I believe, and I think the grounds I have already stated are sufficient, that any investigation into my educational background can serve no legislative purposes, is a violation of my rights under the first amendment; and I will not answer that question.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. YELLIN. Would you repeat that please?

The CHAIRMAN. You are directed to answer the question.

Mr. RABINOWITZ. He asked the question be repeated.

Mr. YELLIN. I asked it be repeated.

The CHAIRMAN. What question?

Mr. YELLIN. The last statement addressed to me.

The CHAIRMAN. You declined to answer that. What did you think you declined to answer?

Mr. YELLIN. I declined to answer any questions pertaining to my education.

The CHAIRMAN. All right. Go ahead.

Mr. TAVENNER. Is it not a fact that you were a student at the College of the City of New York for several years prior to 1948?

(The witness conferred with his counsel.)

Mr. YELLIN. Mr. Tavenner, I will refuse to answer that question under the grounds already stated; but it just occurs to me that if the committee knows all these things, I can't see the purpose or the pertinency of asking me what they consider a known fact. Furthermore, it kind of appears to me as if this line of questioning is merely trying to create an impression and expose me for the sake of merely exposing me and not leading to any valid legislative purpose.

The CHAIRMAN. I will assure you that that is farthest from the intention of anybody on this committee, and this committee has never, for the mere sake of exposing, asked a question.

And now I would like to ask you: What do you mean by exposing you? Exposing you to what?

Mr. YELLIN. Well, Mr. Congressman, there has been a great deal of discussion, public discussion, in the newspapers, especially since the Supreme Court decision in Watkins and Sweezy; and pertaining to education, there has been a great deal of discussion in the newspapers about certain lagging that we are doing in our educational system. I should say rather that we have not reached our full potential in our educational system.

The CHAIRMAN. Perhaps too many people have been directing their attention to the wrong things.

Mr. YELLIN. Well, perhaps. One of the often expressed opinions at the universities and in the newspapers is that one of the reasons we have not reached our full potential is due to the fact that freedom of education, freedom of thought, has been, to a large extent, suppressed by committee investigations specifically of this type and of the type Senator McCarthy conducted. This is common knowledge at the universities. People are beginning to feel that freedom of thought and the expression of ideas—whether they be right or wrong, conform to what the majority believe or not—should be settled in a market place of ideas freely without being suppressed.

The CHAIRMAN. All right now.

Mr. YELLIN. Now if I remember—

The CHAIRMAN. We have heard that speech. Will you answer the question about your education?

Mr. YELLIN. You haven't heard it from me, sir.

The CHAIRMAN. What about the 2 years you were at the New York University or wherever it was?

Mr. TAVENNER. City College of New York.

(The witness conferred with his counsel.)

Mr. YELLIN. Mr. Congressman, Mr. Tavenner, I have already stated sufficient ground for refusing to answer that kind of question.

The CHAIRMAN. Go ahead, Mr. Tavenner.

Mr. TAVENNER. Mr. Chairman, I desire to offer in evidence a photostatic copy of the college record of Edward Yellin, at the University of Michigan. The first was in the College of Literature, Science and Arts.

May it be marked "Yellin Exhibit No. 1?"

Mr. SCHERER. Did you say at the University of Michigan?

Mr. TAVENNER. Yes, sir.

The CHAIRMAN. All right. Let it be received.

(The document referred to was marked "Yellin Exhibit No. 1.")

The CHAIRMAN. Go ahead.

Mr. TAVENNER. An examination of this exhibit, Mr. Chairman, reflects that Edward Yellin was transferred from the College of the City of New York to the University of Michigan.

And in this connection I would like to introduce "Edward Yellin Exhibit No. 2," an additional official record from the University of Michigan, which I will ask to be marked No. 2.

The CHAIRMAN. All right.

(The document referred to was marked "Yellin Exhibit No. 2.")

Mr. RABINOWITZ. May I see that?

Mr. TAVENNER. Yes, sir.

(A document was handed to Mr. Rabinowitz.)

(The witness conferred with his counsel.)

Mr. TAVENNER. Mr. Chairman, I call your attention to the fact that Exhibit No. 2 shows that Edward Yellin was admitted to the University of Michigan in February 1948 from the College of the City of New York and Exhibit No. 1 indicates that he was transferred from the College of Literature, Science, and Arts at the University of Michigan to the engineering department at that university in September 1948. It reflects his grades, showing a grade of A in many subjects.

Mr. TAVENNER. Mr. Yellin, I hand you a photostatic copy of application for employment at the Carnegie-Illinois Steel Corporation.

You will examine it please and state whether or not that appears to be a copy of an application filed by you.

(A document was handed to the witness.)

Mr. YELLIN. I refuse to answer that question on the grounds which I have already stated.

Mr. TAVENNER. Will you examine it please and state whether your name appears at the foot of that application?

Mr. YELLIN. I will. I cannot and will not answer that question, Mr. Tavenner, on the grounds already stated.

Mr. TAVENNER. Mr. Chairman, I offer in evidence as Yellin Exhibit No. 3 the document referred to and ask that it be marked "Yellin Exhibit No. 3."

The CHAIRMAN. For what purpose are you offering it?

Mr. TAVENNER. For the purpose of establishing the time that he came to Gary, Indiana, and the additional purpose of showing what he represented on his application to his would-be employer with regard to his education.

The CHAIRMAN. Did he represent that he had not been to college?

Mr. TAVENNER. His representation was as to his former school work at Stuyvesant, which I believe is a high school in the State of New York, with no answer under the word "college," or any other education.

The CHAIRMAN. All right.

Mr. TAVENNER. Is the document admitted?

The CHAIRMAN. The document is admitted.

(Document marked "Yellin Exhibit No. 3," follows:)

YELLIN EXHIBIT NO. 3

CARNEGIE-ILLINOIS STEEL CORPORATION
APPLICATION FOR EMPLOYMENT

WRITE KIND OF WORK WANTED DATE June 28 1949
Electrician's Helper

PRINT NAME Yellin Edward SOCIAL SECURITY NO. 088 204652

STREET ADDRESS 400 Jefferson CITY Stary STATE Ind NEAREST PHONE

IN CASE OF EMERGENCY NOTIFY: NAME John Jacob Yellin DATE OF BIRTH 7/2/27 AGE 21
 ADDRESS 400 Jefferson RELATION wife PLACE OF BIRTH New York
 CITY & STATE Stary Ind PHONE COUNTRY N.Y. - USA

HOME CHECK MENTAL CHECK PHYS. CHECK
 OWN HOME ☐ RENT HOME ☒ RENT ROOM ☒ BOARD ☐ LIVE WITH PARENTS ☒ DIVORCED ☐

MILITARY SERVICE
 FROM Sept 45 TO July 46
 BRANCH Nav 9 RANK Sgt
 PROMOTIONS from A.S. to S 1/2 to S 1/2
 DUTY None

EDUCATION
 GRADE None

PREVIOUS EMPLOYERS OTHER THAN U.S. STEEL CORPORATION

FROM	TO	COMPANY	CITY	POSITION	WAGE PER HOUR	REASON FOR LEAVING
Sept 46	Feb 48	R-50 Motor Car	Lansing, Mich	Electrician's Helper	1.25	9/1
Feb 48	April 48	Madison Dishwashers - Mich		Electrician's Helper	1.25	5x
April 48	May 49	R-50 Motor	Lansing	"	1.32	8x

ARE YOU EMPLOYED AT PRESENT? Yes

NAME & ADDRESS OF PRESENT EMPLOYER:

NAME & ADDRESS OF PRESENT EMPLOYER:

1984

COMMUNIST INFILTRATION IN BASIC INDUSTRY

BUSINESS REFERENCES NOT RELATIVES											
NAME		ADDRESS				BUSINESS					
CHILDREN AND DEPENDENTS											
NAME		DATE OF BIRTH				RELATION					
		MONTH		DAY		YEAR					
Jean Jean Yellin		Sept		19		1930		Wife			
RELATIVES IN EMPLOY OF THE U S STEEL CORPORATION AT PRESENT TIME											
NAME		COMPANY				RELATION					
RELATIVES PENSIONED BY U S STEEL CORPORATION DISABLED OR DIED IN SERVICE OF U S STEEL CORPORATION											
NAME AND RELATIONSHIP		PERIOD TERMINATED				CAUSE OF DEATH		COMPANY AND WORKS			
		MONTH		DAY		YEAR					
SCHOOL WORK											
KIND		NAME OF SCHOOL		DE GRADATION		YEAR GRAD		COUNTRY		LANGUAGES	
				YEAR		MONTH					
GRADE		WHITE		1940		1941		1942		ENGLISH	
HIGH		Stuyvesant		41		44		44		SPANISH	
COLLEGE										SPANISH	
TECHNICAL										SPANISH	
CORRESPONDENCE										SPANISH	
EXPERIENCE										SPANISH	
OTHER										SPANISH	
WHAT PHYSICAL DEFECTS										SPANISH	
DO YOU MOVE										SPANISH	
REMARKS BY APPLICANT: SPECIAL QUALIFICATIONS: OWNERSHIP ETC.											
STARTING RATE PER HOUR: \$2.00											
I HEREBY CERTIFY THAT THE INFORMATION FURNISHED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.											
SIGNED: Edward Yellin											
WITNESSES:											

Mr. TAVENNER. Mr. Yellin, I read from this document that it is dated June 23, 1949. Where were you on June 23, 1949? Where were you residing?

Mr. YELLIN. Mr. Tavenner. I will not answer that question on the grounds I have already stated.

Mr. TAVENNER. Did you live at 400 Jefferson Street in Gary, in the State of Indiana, at that time?

Mr. YELLIN. I will not answer that question, Mr. Tavenner.

Mr. TAVENNER. I read from Exhibit No. 3, a statement of previous employment by the applicant: From September 1946 to February 1948 at the Reo Motor Company at Lansing, Michigan. Were you ever actually employed by that company?

Mr. YELLIN. I refuse to answer that question on the grounds already stated.

Mr. TAVENNER. Exhibits Nos. 1 and 2 show that you were at the University of Michigan at Ann Arbor between February of 1948 and at the end of the second semester of the year 1948-49, which meant approximately in June of 1949. Yet we see as an employment given by you on Exhibit No. 3, that you were employed from February 1948 to April 1948 at Modern Distributors, Michigan. Were you so employed there?

Mr. YELLIN. I will not answer that question, sir, on the grounds already stated.

Mr. TAVENNER. Your record of employment shows also employment in April 1948 to May 1949 at Reo Motor's at Lansing, Michigan. Were you ever so employed?

Mr. YELLIN. I refuse to answer under the grounds already stated, sir.

Mr. TAVENNER. Why did you give that record of employment and fail to indicate that you had attended college at the City College of New York and that you had been in the engineering department and the academic department of the University of Michigan?

Mr. YELLIN. I refuse to answer that question, sir, on the grounds already stated.

Mr. TAVENNER. Is it not a fact that at the time you sought that employment in Gary, Indiana, in steel, you were doing it at the instance or under counseling from the Communist Party or leaders in the Communist Party?

(The witness conferred with his counsel.)

Mr. YELLIN. I will have to refuse to answer that question on the grounds already stated.

Mr. TAVENNER. Will you tell the committee, please, whether or not incidents came to your attention of the colonization of the steel unions in Gary by the Communist Party at any time prior to September 1957?

Mr. YELLIN. Sir, I cannot answer that question on the grounds already stated.

Mr. TAVENNER. One of the grounds that you stated was that you did not see the pertinency of what you referred to as "this line of questioning." Do you mean to reiterate that as a part of your answer to the question I have just asked you?

(The witness conferred with his counsel.)

Mr. YELLIN. Mr. Tavenner, I mean to reiterate all of the reasons I have given—

The CHAIRMAN. Then explain, Mr. Tavenner, the reasons—

Mr. YELLIN. As grounds. They are all grounds for refusal to answer.

The CHAIRMAN. Explain, Mr. Tavenner.

Mr. TAVENNER. It has been testified here that colonization of young men in the middle of their educational courses in industry was a deep-seated plan of the Communist Party to strengthen itself within basic industry. The chairman's opening statement indicated that the activities of the Communist Party within basic industries was the subject of inquiry here.

Let me ask you: You were present during the testimony of the former witness?

Mr. YELLIN. Yes, sir.

Mr. TAVENNER. The statement was made here of the practice of the Communist Party in colonizing industry at Flint, Michigan; at the University of Colorado, which is at Fort Collins, Colorado, where you now reside; and other places.

In order to understand the full tactics of the Communist Party in its operations here in Gary, it is necessary the committee understand fully the extent of such practices, the full purposes of it, and the methods by which it is put into effect. That is the connective reasoning of the committee in asking the question. It is certainly apparent from that explanation.

So with that explanation, Mr. Chairman, I ask that the witness be again directed to answer.

The CHAIRMAN. You are directed to answer the question.

Mr. YELLIN. Mr. Congressman, I am fully aware, on the basis of the previous witness's testimony and on the basis of what committee counsel has just said, that certain impressions will be created in the public eyes as regards myself as an individual. However, I cannot, in good conscience or within legal protection, answer that question on the grounds I have already stated.

Mr. SCHERER. I think a very bad impression will be created in the public mind because of your making at least 5 misrepresentations on your application for employment to the Carnegie-Illinois Steel Corporation.

Mr. YELLIN. I realize there will be many bad impressions created but, as I said, I am powerless to straighten out those impressions at this time.

The CHAIRMAN. I could not conceive of a better place to straighten out all these impressions. All you have to do is answer these questions.

Did you state, or were you asked, where you are now employed? Where you are employed at the present time?

Mr. YELLIN. I will decline to answer that question on the grounds I have already stated.

Mr. SCHERER. I ask you to direct the witness to answer the question.

The CHAIRMAN. You are directed to answer the question, where are you employed?

Mr. YELLIN. I will decline to answer that question, sir, on the grounds stated.

The CHAIRMAN. Go ahead, Mr. Tavenner.

Mr. TAVENNER. Were you a member of the Neafus Club of the Communist Party at the University of Michigan?

Mr. YELLIN. I will decline to answer that question, sir, on the grounds already stated.

Mr. TAVENNER. Were you acquainted with a person at the University of Michigan by the name of Francis X. T. Crowley?

Mr. YELLIN. I decline to answer that question on the grounds already stated, sir.

Mr. TAVENNER. Mr. Crowley testified before the Committee on Un-American Activities in June of 1954, at which time he identified you as a member with him of the Neafus Club of the Communist Party at Ann Arbor. Was he correct in his identification of you?

Mr. YELLIN. I will decline to answer that question, sir, on the grounds I have already stated.

Mr. TAVENNER. Were you a member of the Communist Party on the 23d day of June 1949, which is the date of application filed in your name for employment in Gary?

Mr. YELLIN. I will decline to answer that question on the grounds I have already stated.

Mr. TAVENNER. Mr. Chairman, may I have a direction that that question be answered in light of the explanation already made?

The CHAIRMAN. You are directed to answer the question.

Mr. YELLIN. I decline to answer, sir.

The CHAIRMAN. Do you understand that when Mr. Tavenner asks you a question about a man who testified that you and he were members of a Communist group at the University of Michigan, this testimony was under oath. This man swore that you and he were members of the Communist Party. Did you understand that?

(The witness conferred with his counsel.)

Mr. YELLIN. Do I understand that he was under oath?

The CHAIRMAN. That is right.

Mr. YELLIN. Yes, sir.

Mr. TAVENNER. Were you active in the American Veterans Committee prior to June 1949?

Mr. YELLIN. I will have to decline to answer that. I think it is a violation of my freedom of associations.

Mr. TAVENNER. Were you acquainted with a person by the name of Edward Shaffer from Pittsburgh?

Mr. YELLIN. I decline to answer that question, sir.

Mr. TAVENNER. During the examination of Edward Shaffer before this committee during the conduct of hearings in 1954, in fact, in May 1954, there was introduced in evidence a photostatic copy of the Detroit News bearing the date of January 7, 1949, entitled "Three Heed AVC Ban on Reds." It is Exhibit No. 2 in that hearing. I will read part of that exhibit:

Three students resigned today from the University of Michigan chapter of the American Veterans Committee because of a ruling adopted by the national AVC [meaning American Veterans Committee] convention in November calling for the ouster of members who belonged to the Communist Party.

They were [that is, the three who resigned] William Carter, 3473 Townsend Avenue, Detroit; Edward Shaffer, of Pittsburgh; and Edward Yellin, of New York.

Was your action at that time correctly reported by the Detroit News?

Mr. YELLIN. I will decline to answer that question, sir.

Mr. TAVENNER. Will you tell the committee whether or not in 1957 there were present in any of the steel unions at Gary, Indiana, persons who were known to you to have been colonizers of the Communist Party?

Mr. YELLIN. I decline to answer that question, sir.

Mr. TAVENNER. Mr. Chairman, in light of the explanation made of the pertinency of this line of questioning, I request the witness be directed to answer the question.

The CHAIRMAN. You are directed to answer the question, Mr. Yellin.

Mr. YELLIN. On the grounds I have previously stated, I will not answer the question.

Mr. SCHERER. Those grounds do not include the invocation of the fifth amendment against self-incrimination?

(The witness conferred with his counsel.)

Mr. YELLIN. They do not, sir.

Mr. TAVENNER. Were you a member of the Communist Party in August of 1957?

Mr. YELLIN. I will decline to answer that question on the grounds I have stated.

Mr. TAVENNER. Will you tell the committee what stand the Communist Party took in Gary in any of its units with regard to the acts of the Soviet Union in Hungary in 1956?

Mr. YELLIN. I will decline to answer that question, sir.

Mr. TAVENNER. May I have a direction that the witness answer that question?

The CHAIRMAN. You are directed to answer the question, Mr. Witness.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. YELLIN. I decline to answer that question on the grounds I have already stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Do you have any questions, Mr. Scherer?

Mr. SCHERER. I have no questions.

The CHAIRMAN. The committee will stand in recess until 2 o'clock.

(Whereupon, at 12:14 p. m., February 10, 1958, the committee recessed, to reconvene at 2 p. m., the same day.)

AFTERNOON SESSION—MONDAY, FEBRUARY 10, 1958

(Members present at the convening of the afternoon session were: Congressmen Walter and Scherer.)

The CHAIRMAN. The committee will be in order.

Call your next witness, Mr. Tavenner.

Mr. TAVENNER. Mr. Nicholas M. Busic, will you come forward, please?

The CHAIRMAN. Will you raise your right hand, please? Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BUSIC. I do.

Mr. TAVENNER. Will you state your name, please, sir?

**TESTIMONY OF NICHOLAS M. BUSIC, ACCOMPANIED BY COUNSEL,
VICTOR RABINOWITZ**

Mr. BUSIC. Nicholas M. Busic.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. RABINOWITZ. Victor Rabinowitz of New York.

And may I at this time make the same request that I did with respect to the previous witness, respecting the exchange of telegrams between myself and the committee?

The CHAIRMAN. Let the record note the request.

Mr. TAVENNER. How do you spell your name?

Mr. BUSIC. B-u-s-i-c.

Mr. TAVENNER. When and where were you born, Mr. Busic?

Mr. BUSIC. November 26, 1895.

Mr. TAVENNER. Where do you now reside?

Mr. BUSIC. At 4681 Massachusetts.

Mr. TAVENNER. In Gary?

Mr. BUSIC. In Gary.

Mr. TAVENNER. How long have you lived in Gary?

Mr. BUSIC. Since June 1936——

Mr. TAVENNER. Mr. Busic——

Mr. BUSIC. Pardon me, since May 1936.

Mr. TAVENNER. Mr. Busic, will you advise the committee, please, whether or not the Communist Party is engaged in Communist Party activities at this time within any labor union in the steel industry in Gary?

(The witness conferred with his counsel.)

Mr. BUSIC. I am not a lawyer, and I am not college educated. I only had three years' school in the old country. Therefore, I refuse to answer on the following grounds:

1. The committee has no right to ask me question about my political beliefs under the first amendment.

2. ——

The CHAIRMAN. Let me interrupt you there. We are not asking you about your beliefs at all. We are asking you whether or not the Communist Party is engaged in activities in Gary.

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer that question on the grounds as I already stated.

Mr. TAVENNER. What was that ground?

Mr. BUSIC. 1. The committee has no right to ask me questions about my political belief under the first amendment.

2. ——

Mr. TAVENNER. About your what?

Mr. RABINOWITZ. Political beliefs.

Mr. BUSIC. Political beliefs.

2. The resolution creating the committee is vague and uncertain.

3. The investigation is beyond the power of the committee.

4. The question is not material to any proper subject of investigation.

5. The committee may not ask questions just for the purpose of exposure.

Mr. TAVENNER. Well, you actually understand, do you not, that the question of Communist Party activities in steel here in Gary is pertinent to the subject of the investigation? Do you not?

(The witness conferred with his counsel.)

Mr. BUSIC. I can't argue with you, Mr. Congressman, and therefore I refuse to answer the question on the grounds as already stated.

Mr. TAVENNER. If this committee is investigating the extent, character, and objects of Communist Party propaganda activities within steel, the question I ask you is certainly pertinent. You agree to that, do you not, when I ask you the question of whether you have knowledge of the very thing which this committee is investigating?

(The witness conferred with his counsel.)

Mr. BUSIC. I don't think I have to answer that question on advice of my lawyer.

Mr. TAVENNER. Were you present this morning when the chairman of the committee read his opening statement?

Mr. BUSIC. I was present, but I was way back, and I can't hear very well.

Mr. TAVENNER. Well, then, to be certain that you understand what the subject is, I will state again what the chairman stated and that is that the committee is undertaking to receive evidence regarding the techniques and strategy of the Communist Party in infiltrating unions within the steel industry and also the extent of Communist Party propaganda within the steel industry. Those are the subjects.

Now the question that I ask you is a very simple one and that is: Tell this committee what knowledge you have regarding Communist Party activities that are being engaged in now in the steel industry in Gary.

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer on the same grounds I already stated.

Mr. TAVENNER. Mr. Chairman, I don't think I can make it any plainer than that. I, therefore, ask that the chairman direct the witness to answer.

The CHAIRMAN. The witness is directed to answer the question.

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer that question on the grounds I already stated.

Mr. TAVENNER. How long have you been employed as a steelworker by the U. S. Steel Corporation?

Mr. BUSIC. It will be 22 years on 20th of next June.

Mr. TAVENNER. Will you tell the committee, please, whether or not at any time within the past 2 or 3 years you have been affiliated with an organized group of the Communist Party within the steel industry?

(The witness conferred with his counsel.)

Mr. BUSIC. I haven't been member of the Communist Party for over a year.

Mr. TAVENNER. For over a year?

Mr. BUSIC. Yes.

Mr. TAVENNER. Then when was it that you left the Communist Party, what time of year?

Mr. RABINOWITZ. I have some difficulty because the witness does not hear very well, and it is a little hard to communicate in whispers here.

Mr. TAVENNER. Take your time.

The CHAIRMAN. We promise not to listen.

Mr. TAVENNER. I am not trying to eavesdrop.

Mr. RABINOWITZ. No. I know you are not.

Mr. TAVENNER. I know what you are telling him.

Mr. RABINOWITZ. I don't mind saying it out loud. Then we would all hear.

The CHAIRMAN. We know what you are telling him.

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer any questions before a year ago, better than a year ago.

Mr. TAVENNER. Yes, I ask you what time in 1957 was it that you left the Communist Party?

(The witness conferred with his counsel.)

Mr. BUSIC. I can't exactly remember; therefore, I refuse to answer.

Mr. TAVENNER. Was it in the early part of the year or the latter part of the year?

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer the question on the same grounds already stated.

Mr. TAVENNER. When did you first learn an investigation of communism was to be made in this area?

(The witness conferred with his counsel.)

Mr. BUSIC. When I got the subpoena.

Mr. TAVENNER. Did you have any dispute within the Communist Party which led to your withdrawing from it last year?

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer that question on the same grounds I already stated.

Mr. TAVENNER. What type of Communist Party activities was being carried on within the steel industry at the time you left the party?

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer on the same grounds that I already stated.

Mr. TAVENNER. Mr. Chairman, may I have a direction that he answer that question?

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer the question on the same grounds I stated.

The CHAIRMAN. As I understand it, the record discloses that up to about a year ago you were a member of the Communist Party.

(The witness conferred with his counsel.)

The CHAIRMAN. Is that correct?

(The witness conferred with his counsel.)

Mr. BUSIC. I didn't admit that I ever been member of the Communist Party.

The CHAIRMAN. How could you get out of the Communist Party if you had never been in it?

Mr. RABINOWITZ. He didn't say that he got out of the Communist Party.

Mr. TAVENNER. The witness said he hadn't been a member for the past year.

Mr. RABINOWITZ. That is true.

The CHAIRMAN. Well, were you a member before a year ago?

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer on the same grounds that I stated.

The CHAIRMAN. But you say that you have not been a member for a year?

Mr. BUSIC. That is true.

The CHAIRMAN. Is it logical for me to assume then that before that year you were a member?

(The witness conferred with his counsel.)

Mr. BUSIC. It is your business to assume whatever you please.

The CHAIRMAN. I know it is my business to assume anything I like.

Mr. BUSIC. I can't help what you assume.

The CHAIRMAN. You would not like me to tell you what I have assumed, though, would you?

Go ahead.

Mr. TAVENNER. Mr. Busic, what was the membership of the Communist Party within the steel industry at the time you left it about a year ago?

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer on the same grounds.

Mr. TAVENNER. Will you tell the committee, please, whether or not about a year ago the Communist Party in this area was making an effort to reorganize and re-establish itself within the steel industry?

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer that question on the same grounds I already stated.

Mr. TAVENNER. May I ask a direction, please?

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Where are you employed in the steel industry, in what plant?

Mr. BUSIC. In 44 blooming mill.

Mr. TAVENNER. Where is that located?

Mr. BUSIC. It is located right close to the lake, north.

Mr. TAVENNER. How long have you been employed there?

Mr. BUSIC. When I first got hired, I got that job there, and I am still there on the same line, on the same yard, the same department.

Mr. TAVENNER. Has there been an organized group of the Communist Party within that plant in the past 5 years?

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer that question on the same grounds.

Mr. TAVENNER. When I asked you when and where you were born, you told me the date of your birth; but you did not tell me where you were born.

Mr. BUSIC. Yugoslavia.

Mr. TAVENNER. Yugoslavia?

Mr. BUSIC. Yes.

Mr. TAVENNER. When did you come to this country?

Mr. BUSIC. 1913.

Mr. TAVENNER. Are you a naturalized American citizen?

Mr. BUSIC. I am, sir.

Mr. TAVENNER. When and where were you naturalized?

Mr. BUSIC. 1928 in Chicago.

Mr. TAVENNER. Were you a member of the Communist Party at the time you were naturalized as an American citizen?

Mr. BUSIC. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Have you been identified or affiliated in the last few years, I would say at any time within the last 5 years, with an organization, a foreign-language group known as Karageorge?

The CHAIRMAN. What is it?

Mr. TAVENNER. K-a-r-a-g-e-o-r-g-e.

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Was that a language group in which there were persons known to you to be members of the Communist Party?

Mr. BUSIC. I refuse to answer that question on the same grounds as I stated.

Mr. TAVENNER. Were you a member of the Communist Party on January 1, 1957?

Mr. BUSIC. I refuse to answer that question on the same grounds I already stated.

Mr. TAVENNER. Were you a member of the Communist Party on December 28, 1940?

Mr. BUSIC. I refuse to answer the question on the same grounds I already stated.

Mr. TAVENNER. I hand you a photostatic copy of a certificate bearing date December 28, 1940 purportedly signed by Nicholas M. Busic. Will you examine it, please, and state whether or not you signed it?

(A document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer that question.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Busic Exhibit No. 1."

The CHAIRMAN. Mark it and let it be made a part of the record.

(The document referred to marked "Busic Exhibit No. 1" follows:)

U. S. GOVERNMENT
 CERTIFICATION BY PRESENT EMPLOYEE
 NAME OF LOCATION Lucy Walker DEPARTMENT Manufacturing CHECK NO. 43,585 DATE Dec-28-40

Nicholas M. Busic
 I, Nicholas M. Busic, understand that the Selective Training and Service Act of 1940 of the United States of America prohibits me, if I am or should become a member of the Communist Party or the German-American Bund, from filling any vacancy caused by reason of induction of employees into the service of the United States under such Act.

In order to protect my right for transfer or promotion, I hereby certify that I am not, and will not become during the course of my employment, a member of the Communist Party or the German-American Bund.

I understand that if I am transferred, promoted or otherwise moved into a position created as a result of the absence of an employee who has been called to government service, my holding of such position will be on a temporary basis during such absence, and that upon the return of the absent employee I will be reinstated in my former position, or in a position of like seniority, status and pay, unless the circumstances within the company have so changed as to make it impossible or unreasonable to do so.

I also understand that, if while filling a temporary vacancy, I am called to military training and service, there is no obligation on the company to rehire me to this temporary position and that, when discharged from such military training and service, I will be reinstated in my former position, or in a position of like seniority status and pay, unless the circumstances within the company have so changed as to make it impossible to do so.

For reemployment, I also understand that I must re-apply within 40 days after my year of service is completed, and that I must present a certificate of satisfactory completion of training and be qualified to perform the duties of the position.

I understand all the above requirements are in accord with the Selective Training and Service Act of 1940.

Employee: Nicholas M. Busic Signed

The CHAIRMAN. May I see it, please?

(The document was handed to the chairman.)

The CHAIRMAN. Does this Gary Works Maintenance Department mean Gary Works, United States Steel?

(The witness conferred with his counsel.)

Mr. BUSIC. I don't know what it means.

(The document was handed to the witness.)

Mr. TAVENNER. You say you do not understand what this means? Did I understand you to say that you do not understand what this paper means?

Mr. RABINOWITZ. Let me see.

(The document was handed to Mr. Rabinowitz.)

(The witness conferred with his counsel.)

Mr. BUSIC. Yes, called Gary Works.

Mr. TAVENNER. You do know now?

Mr. BUSIC. Yes, I do now.

Mr. TAVENNER. What does it mean?

Mr. BUSIC. Gary Works.

Mr. TAVENNER. The place where you work?

Mr. BUSIC. Yes, called the Gary Works.

Mr. TAVENNER. And you were employed there?

Mr. BUSIC. Yes.

(The document was handed to the witness.)

Mr. TAVENNER. Now it bears the date of December 28, 1940. Were you a member of the Communist Party at that time?

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer that question on the same grounds I stated already.

Mr. TAVENNER. I will read you a part of this certificate: It says:

I hereby certify that I am not, and will not become during the course of my employment, a member of the Communist Party or the German-American Bund.

You remember that, do you not?

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer on the same grounds that I already stated.

Mr. TAVENNER. Were you telling the truth when you certified to your employer that you were not a member of the Communist Party on December 28, 1940?

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer that question.

Mr. TAVENNER. When you signed this certificate on December 28, 1940, were you intending to tell the truth, when you stated, "I will not become during the course of my employment a member of the Communist Party"?

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer the question.

Mr. TAVENNER. In fact, you knew when you signed this document that you would not abide by what you stated you would abide by, didn't you?

(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer the question on the same grounds that I already stated.

Mr. SCHERER. Were you a member of the German-American Bund?
(The witness conferred with his counsel.)

Mr. BUSIC. I refuse to answer that question on the same grounds that I already stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Any questions, Mr. Scherer?

Mr. SCHERER. Yes, I have some questions.

You say that you have not been a member of the Communist Party during the last year. Have you been a Communist during the last year?

(The witness conferred with his counsel.)

Mr. SCHERER. Irrespective of party membership, have you been a Communist during the last year?

(The witness conferred with his counsel.)

Mr. BUSIC. I don't understand.

Mr. SCHERER. I just asked whether you had been a Communist during the last year.

(The witness conferred with his counsel.)

Mr. SCHERER. You know what a Communist is. You said you had not been a member of the Communist Party during the last year. Now, I am asking you whether you had been a Communist, irrespective of whether you carried party membership or not?

Mr. BUSIC. I don't understand the question.

Mr. SCHERER. How could you understand the question that was asked you as to whether you had been a member of the Communist Party if you cannot understand my question now, or claim not to understand my question now, as to whether you are presently a Communist?

(The witness conferred with his counsel.)

Mr. BUSIC. I cannot understand.

Mr. SCHERER. Have you been under Communist discipline in the last year?

(The witness conferred with his counsel.)

Mr. BUSIC. No.

Mr. SCHERER. Have you associated with members of the Communist Party or Communists during the last year?

Mr. BUSIC. I refuse to answer that question.

Mr. SCHERER. I did not hear your last answer.

Mr. BUSIC. I refuse to answer that question on the same grounds that I already stated.

Mr. SCHERER. Have you taken any instructions from members of the Communist Party or from Communists during the last year?

(The witness conferred with his counsel.)

Mr. BUSIC. No.

Mr. SCHERER. I have no further questions.

The CHAIRMAN. The witness is excused.

Mr. TAVENNER. Mr. Robert Kates, will you come forward, please?

The CHAIRMAN. Will you raise your right hand, please? Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KATES. I do.

TESTIMONY OF ROBERT (W.) KATES, ACCOMPANIED BY COUNSEL,
ALBERT H. GAVIT

Mr. TAVENNER. What is your name, please, sir?

Mr. KATES. Robert Kates.

Mr. TAVENNER. It is noted that you are accompanied by counsel. Will counsel please identify himself for the record?

Mr. GAVIT. Yes, sir. My name is Albert H. Gavit, attorney, 504 Broadway, Gary, Ind.

Mr. TAVENNER. When and where were you born, Mr. Kates?

Mr. KATES. I was born in Brooklyn, N. Y., on January 31, 1929.

Mr. TAVENNER. Do you now reside in Gary?

Mr. KATES. I do, sir.

Mr. TAVENNER. When did you come to Gary?

Mr. KATES. I came to Gary roughly 9 years and 11½ months ago.

Mr. TAVENNER. That would be in what year?

Mr. KATES. 1948.

Mr. TAVENNER. Will you tell the committee, please, briefly what your formal educational training has been?

Mr. KATES. My formal education has been that I have been to grade school, high school, and I have had roughly 2½ years of college.

Mr. TAVENNER. Where?

Mr. KATES. At New York University, and I am presently enrolled at Indiana University.

Mr. TAVENNER. When were you enrolled in New York University?

Mr. KATES. Roughly for the years 1947 and '46.

Mr. TAVENNER. Did you serve in the Armed Forces of the United States?

Mr. KATES. No, sir.

Mr. TAVENNER. What was your purpose in coming to Gary?

Mr. KATES. To secure employment.

Mr. TAVENNER. What type of employment?

Mr. KATES. A job that would pay me sufficient for my needs and my wife and I.

Mr. TAVENNER. I mean employment in what line of work?

Mr. KATES. I repeat, sir, a job, whatever I could find in the line of work that it would be sufficient to pay me.

Mr. TAVENNER. Have you been employed in the steel industry?

Mr. KATES. I have, sir.

Mr. TAVENNER. Was that your first employment in Gary?

Mr. KATES. Yes, sir.

Mr. TAVENNER. Where were you employed in steel?

Mr. KATES. At Gary Works, 36-inch slabbing mill, U. S. Steel Corp.

Mr. TAVENNER. Is that known as the Big Mill?

Mr. KATES. Yes.

Mr. TAVENNER. When you left New York City to take up employment here at Gary, did you anticipate being employed in the steel industry?

Mr. KATES. I had hopes of it, sir, yes.

Mr. TAVENNER. Were you advised or counseled by any member of the Communist Party in New York to seek employment in Gary?

(The witness conferred with his counsel.)

Mr. KATES. Not as far as I know, sir.

Mr. TAVENNER. What do you mean by that—not so far as you know?

Mr. KATES. Well, I discussed my leaving with my wife, relatives, friends; and as far as I know, I wasn't counseled.

Mr. TAVENNER. Did you discuss it with any member of the Communist Party?

(The witness conferred with his counsel.)

Mr. KATES. Not as far as I know, sir.

Mr. TAVENNER. After obtaining employment in the Big Mill, did you find that there existed in that mill an organized group of the Communist Party?

(The witness conferred with his counsel.)

Mr. KATES. I respectfully decline to answer because the information sought is outside the powers granted this committee in its appointment, or that could be granted it, and would infringe and deny my rights under the first and fourth amendments to the Constitution of the United States, which rights I here assert and rely on.

Mr. SCHERER. Just a moment. May I ask a question?

Do I understand you are not relying on the fifth amendment in refusing to answer that question?

(The witness conferred with his counsel.)

Mr. KATES. I am not relying on the fifth amendment.

Mr. SCHERER. Then, Mr. Chairman, I ask that you direct the witness to answer the question whether or not he became acquainted with any Communist Party activities.

The CHAIRMAN. I direct you to answer the question.

Mr. KATES. I only repeat that I decline to answer on the grounds I previously stated.

The CHAIRMAN. All right.

Mr. TAVENNER. I believe you stated you are enrolled at the present time in an Indiana institution?

Mr. KATES. Yes, sir.

Mr. TAVENNER. Are you still employed in the Big Mill?

Mr. KATES. Yes, sir.

Mr. TAVENNER. Will you tell the committee, please, whether or not you have observed Communist Party propaganda activities within the Big Mill at any time within the past 2 years?

(The witness conferred with his counsel.)

Mr. KATES. I repeat that I decline to answer on the grounds I previously stated.

Mr. TAVENNER. You understand the pertinency of that question to the subject of this hearing; do you not?

(The witness conferred with his counsel.)

Mr. KATES. I repeat that I decline to answer on the grounds I previously stated.

Mr. SCHERER. Wait a minute. I think he should answer whether he understands the pertinence, because the courts charge us with the duty of asking him whether he understands the pertinency of the question.

(The witness conferred with his counsel.)

Mr. SCHERER. He has to answer that question yes or no as to pertinency.

Mr. KATES. As to pertinency, I repeat my original objections, that all this questioning is outside the powers granted this committee in its appointment or could be granted it.

Mr. SCHERER. It wasn't the question asked you by counsel. He asked you whether you understood the pertinency of the question he asked you, as to how that question related to the hearing. Do you comprehend how that question is related to the purpose of these hearings?

Mr. KATES. I can only repeat that it is not pertinent—that I think it is not pertinent, sir.

The CHAIRMAN. Go ahead.

Mr. TAVENNER. Mr. Chairman, I ask that the witness be directed to answer that question.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. KATES. I can only repeat the objection I raised as previously stated.

Mr. TAVENNER. I am not certain that the way in which I asked that question that the record shows that the direction was made as to the original question. So I will ask it again: Please tell this committee what Communist Party propaganda activities have been conducted at the Big Mill during the past 2 years or at any time during the past 2 years.

(The witness conferred with his counsel.)

Mr. KATES. I can only repeat that I decline to answer on the grounds I previously stated, sir.

The CHAIRMAN. You are directed to answer that question.

Mr. KATES. I repeat that I decline to answer on the grounds I previously stated.

The CHAIRMAN. All right. Go ahead, Mr. Tavenner.

Mr. SCHERER. Pardon me, just a minute.

When the chairman directs you to answer the question, you understand that we do not accept the grounds which you give for refusal to answer the question. You understand that, do you not?

(The witness conferred with his counsel.)

Mr. KATES. I understand it, sir.

Mr. TAVENNER. Have you been a member of the Communist Party at any time during the past 2 years?

(The witness conferred with his counsel.)

Mr. KATES. I decline to answer on the grounds I previously stated.

Mr. TAVENNER. Were you a member of the Communist Party when you first took employment with the Big Mill?

Mr. KATES. I decline to answer on the grounds I previously stated.

Mr. SCHERER. Mr. Chairman, again I think there should be a direction to answer that question, because that is the very heart of the question.

The CHAIRMAN. Yes. You are directed to answer that question.

Mr. KATES. I can only repeat that I decline to answer on the grounds I previously stated.

Mr. TAVENNER. Were you a member of the Communist Party in 1950?

(The witness conferred with his counsel.)

Mr. KATES. I can only repeat that I decline to answer on the grounds I previously stated.

Mr. TAVENNER. Did you at any time serve as a member of the Communist Party, Steel Section, or the Steel Section of the Communist Party in Gary?

(The witness conferred with his counsel.)

Mr. KATES. I can only repeat that I decline to answer on the grounds I previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Any questions, Mr. Scherer?

Mr. SCHERER. I have no questions.

The CHAIRMAN. No further questions.

Call your next witness, Mr. Tavenner.

Mr. TAVENNER. Mr. Alfred Samter.

The CHAIRMAN. Will you raise your right hand, please? Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SAMTER. I do.

TESTIMONY OF ALFRED JAMES SAMTER, ACCOMPANIED BY COUNSEL, IRVING MEYERS

Mr. TAVENNER. Will you state your name, please, sir?

Mr. SAMTER. My name is Alfred James Samter.

Mr. SCHERER. I did not get the last name.

Mr. SAMTER. Samter.

Mr. TAVENNER. Will you spell your last name, please?

Mr. SAMTER. S-a-m-t-e-r.

Mr. TAVENNER. It is noted that you are accompanied by counsel. Will counsel please identify himself for the record?

Mr. MEYERS. My name is Irving Meyers. I am from Chicago.

At this time I would like to inquire whether you have seen my telegram of last Saturday. If not, I would like to present it now, and I would like to have a response to it, if I may. It is a telegram requesting an executive hearing.

The CHAIRMAN. I would like to see it.

Mr. TAVENNER. I had not seen it because I was here Saturday. I guess your telegram was sent to Washington.

Mr. MEYERS. That is right. On behalf of this client and a number of others.

The CHAIRMAN. Of course, this request is based on a false premise. If it is in the nature of a request, we can only do what we have always done in cases of this kind, and that is refuse to grant the request.

Mr. MEYERS. May I have the request entered in the record on behalf of this client and all the other clients I represent?

The CHAIRMAN. Yes.

Mr. TAVENNER. It may be.

The CHAIRMAN. Yes. Why did you wait until Saturday to send me the telegram?

Mr. MEYERS. I interviewed my clients on Saturday. A number of them received subpoenas during the week, and it took some time for us to get together.

Mr. TAVENNER. When and where were you born, Mr. Samter?

The CHAIRMAN. Let us get his address first. We neglected to do that with the last witness.

Mr. TAVENNER. Where do you reside?

Mr. SAMTER. I reside in Gary.

Mr. TAVENNER. Where in Gary?

Mr. SAMTER. The address is 501 East 47th Place.

Mr. TAVENNER. When and where were you born?

Mr. SAMTER. I was born on January 27, 1922, in New York City.

Mr. TAVENNER. When did you first come to Gary?

Mr. SAMTER. Approximately 9 years ago.

Mr. TAVENNER. About 1948 or 1949?

Mr. SAMTER. 1949.

Mr. TAVENNER. 1949?

Mr. SAMTER. Yes, sir.

Mr. TAVENNER. What time of year?

Mr. SAMTER. Spring.

Mr. TAVENNER. Where were you residing immediately prior to your coming to Gary?

(The witness conferred with his counsel.)

Mr. SAMTER. New York City.

Mr. TAVENNER. Have you been in Gary since that time, 1949?

Mr. SAMTER. I beg your pardon?

Mr. TAVENNER. Have you lived in Gary continuously since 1949?

Mr. SAMTER. Yes, sir.

Mr. TAVENNER. Will you tell the committee, please, briefly what your formal educational training has been?

Mr. SAMTER. I am a high school graduate.

Mr. TAVENNER. Have you had any other training—educational training?

(The witness conferred with his counsel.)

Mr. SAMTER. Are you referring to college training, Mr. Attorney?

Mr. TAVENNER. Any school training.

(The witness conferred with his counsel.)

Mr. SAMTER. I don't believe that this committee is empowered to inquire into my education under the charter of the committee, which I don't completely understand. Anyhow, I don't believe that the question on my education is pertinent, and I do believe it is an invasion of my civil rights under the first amendment to the Constitution, so I will decline to answer that question.

Mr. SCHERER. Why did you tell us then, when asked about your education, that you had a high school education and now decline to go further?

(The witness conferred with his counsel.)

Mr. SAMTER. I repeat the same answer under the same rights that I previously stated.

Mr. SCHERER. Have you been a student at any Communist Party training school? Let us get right to it.

(The witness conferred with his counsel.)

Mr. SAMTER. Same answer as previously stated.

Mr. SCHERER. I put it to you as a fact that you have been a student at a Communist Party training school and ask you now, while you are under oath, either to affirm or deny that fact.

(The witness conferred with his counsel.)

Mr. SAMTER. Same answer as previously stated.

Mr. TAVENNER. Did you, in your application for employment, refuse to tell your employer what your educational training had been?

(The witness conferred with his counsel.)

Mr. SAMTER. I am sorry. I don't understand your question.

Mr. TAVENNER. Well, you have refused to tell this committee what educational training you have had. My question was, did you also refuse to tell your employer when you filed your application for employment what your educational training had been?

(The witness conferred with his counsel.)

Mr. SAMTER. I decline to answer that question on the grounds that you have no right to inquire into my personal relationships under the first amendment and also on the previous grounds that I stated.

Mr. SCHERER. You are not refusing to answer on the basis of any right you might claim to have under the fifth amendment, are you?

(The witness conferred with his counsel.)

Mr. SAMTER. I assert my right to due process under the fifth amendment, but as far as any other part of the fifth amendment, I am not asserting that right.

Mr. SCHERER. You are not refusing to answer on the basis of that part of the fifth amendment which gives you the right to refuse to answer on the grounds that to answer might tend to incriminate you. Is that right?

(The witness conferred with his counsel.)

Mr. SAMTER. That is correct.

Mr. SCHERER. Then I ask, Mr. Chairman, that you direct him to answer the question.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. SAMTER. I still refuse to answer under the same basis.

The CHAIRMAN. All right.

Mr. TAVENNER. Did you attend the American Radio Institute?

(The witness conferred with his counsel.)

Mr. SAMTER. I refuse to answer that question under the grounds previously stated.

Mr. TAVENNER. Upon your coming to Gary in 1949, did you immediately identify yourself in an active way with the Communist Party?

(The witness conferred with his counsel.)

Mr. SAMTER. I refuse to answer that question on the same grounds as previously stated.

Mr. TAVENNER. Have you been a leader in the Communist Party, in the Big Mill Unit of the Communist Party?

(The witness conferred with his counsel.)

Mr. SAMTER. I refuse to answer that question on the same grounds as previously stated.

Mr. TAVENNER. What propaganda activities are being engaged in now by the Communist Party group within the Big Mill where you are employed?

(The witness conferred with his counsel.)

Mr. SAMTER. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Is there any question in your mind as to the pertinency of that question to the subject under inquiry here?

(The witness conferred with his counsel.)

Mr. SAMTER. Yes, sir. First of all, I do not understand the pertinency. I do not believe it is pertinent to the inquiry. I do not understand the purposes of the inquiry. I do not believe it is pertinent to the powers of the committee, and I do not understand completely what those powers of the committee are. I might add, Mr. Counselor, that I believe that the courts are finding difficulty in determining just exactly what the powers of this committee are, and I certainly don't understand them.

Mr. TAVENNER. Well, the question of the powers of the committee was not involved in my question in any way. It is hard for me to understand that you, in good faith, do not understand the pertinency of the question. But inasmuch as you say you do not understand it, let me repeat again what the chairman stated in his opening statement.

You were present at that time, were you not?

Mr. SAMTER. Yes, sir.

Mr. TAVENNER. The chairman stated that the subject of this inquiry was the receipt of testimony relating to the tactics and techniques of Communist infiltration in the steel industry and the extent, character, and objects of Communist Party propaganda within the steel industry, that is, within basic industry.

Now, when I ask you the question, or the committee asks the question, as to what the Communist Party is doing now in the way of propaganda within basic industry, that statement answers the pertinency raised by you.

So I will have to request that the chairman direct you to answer that question in view of that explanation.

(The witness conferred with his counsel.)

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. SAMTER. I refuse to answer on the same basis that I have on the other question.

Mr. TAVENNER. Aren't you actually the leader of the Communist Party in the mill group right now?

(The witness conferred with his counsel.)

Mr. SAMTER. I refuse to answer on the basis of the same reasons given.

Mr. SCHERER. What do you actually do in the mill, Witness? What is your job?

(The witness conferred with his counsel.)

Mr. SAMTER. Well, I work in a department which manufactures by-products from the coke-making process in the coke plant.

Mr. SCHERER. What do you do? What is your exact work?

Mr. SAMTER. Do you want my exact title, sir?

Mr. SCHERER. No. I want to know what you do. Do you do clerical work? Do you work on an assembly line? Do you work in a foundry, or what?

Mr. SAMTER. It is a department which is similar to an oil refinery.

Mr. SCHERER. I am not asking about the department. I am asking what you do. What is the nature of your work?

Mr. SAMTER. In order to describe what I do, Mr. Congressman, I have to describe what type of department it is because it is not either an assembly line or foundry, as you suggested. It is a distillation unit, very similar to an oil refinery, in which materials, taken as by-

products of coke-making process, are passed through steel and by-product oils are made.

In this process, I turn valves; I direct the flows of these various pieces of equipment; I look at them to see that they are in working order, and see that the pumps are running correctly and various many duties such as those.

Mr. SCHERER. All right.

Mr. TAVENNER. When you came to Gary to seek employment, did you confer in New York with any member of the Communist Party with regard to your coming to Gary?

(The witness conferred with his counsel.)

Mr. SAMTER. I decline to answer that question on the same grounds as previously stated.

The CHAIRMAN. You are directed to answer that question.

(The witness conferred with his counsel.)

Mr. SAMTER. I decline to answer on the same grounds as previously stated.

Mr. TAVENNER. Did you attend any classes or schooling of any kind in New York City preparing young men to go out in the labor field to become leaders in the field of labor?

(The witness conferred with his counsel.)

Mr. SAMTER. I decline to answer on the grounds as previously stated.

Mr. TAVENNER. Were you a member of the Communist Party in the City of New York before coming to Gary?

(The witness conferred with his counsel.)

Mr. SAMTER. I decline to answer on the grounds as previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Any questions, Mr. Scherer?

Mr. SCHERER. Have you ever served in the Armed Forces of the United States?

(The witness conferred with his counsel.)

Mr. SAMTER. Yes, sir.

Mr. SCHERER. When was that service?

Mr. SAMTER. From 1942 until 1945. I don't recall the exact dates.

Mr. SCHERER. In what branch of the service?

Mr. SAMTER. Army.

Mr. SCHERER. And where were you? What type of work did you do in the Army? What particular assignment did you have?

Mr. SAMTER. I was a radio operator in an armored division.

Mr. SCHERER. Radio operator. And did you serve outside the continental United States?

Mr. SAMTER. Yes, sir.

Mr. SCHERER. Where?

Mr. SAMTER. In Europe.

Mr. SCHERER. And where did you live immediately prior to your service in the Army? What was your home residence?

Mr. SAMTER. New York City.

Mr. SCHERER. While you were in the Armed Forces of the United States serving as a radio operator, were you a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. SAMTER. I decline to answer that on the same grounds as previously stated.

Mr. SCHERER. I have no further questions.

The CHAIRMAN. The witness is excused.

Mr. TAVENNER. Mr. Zack Kretheotis, will you come forward please?

Will you raise your right hand, please?

Do you swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God.

Mr. KRETHEOTIS. Yes, sir.

**TESTIMONY OF JACK (ZACK) KRETHEOTIS, ACCOMPANIED BY
COUNSEL, DAVID P. STANTON**

Mr. TAVENNER. Will you state your name, please, sir?

Mr. KRETHEOTIS. Jack Kretheotis.

Mr. TAVENNER. Will you spell your name?

Mr. KRETHEOTIS. K-r-e-t-h-e-o-t-i-s.

Mr. TAVENNER. Did you say "Jack"? Excuse me, I didn't understand your first name.

Mr. KRETHEOTIS. Yes.

Mr. TAVENNER. Jack?

Mr. KRETHEOTIS. Yes.

Mr. TAVENNER. I pronounced it as Zack. I didn't know whether I was incorrect.

Mr. KRETHEOTIS. That is a nickname.

Mr. TAVENNER. Which is the nickname? Jack or Zack? But your correct name is Zack?

Mr. KRETHEOTIS. That is a name that I have used for many, many years.

Mr. TAVENNER. What is your correct name?

Mr. KRETHEOTIS. At the present time it is Jack Kretheotis.

Mr. TAVENNER. What other name have you used?

(The witness conferred with his counsel.)

Mr. KRETHEOTIS. I used the name Zack. In fact, I have used that name, yes.

Mr. TAVENNER. What other name have you used?

(Witness conferred with his counsel.)

Mr. KRETHEOTIS. Sir, on advice of counsel, I respectfully decline, first, under the freedom of speech, freedom of the press, and right to assemble peacefully clauses of the first amendment and Constitution of the United States.

The CHAIRMAN. I direct you to answer the question as to what your right name is.

(The witness conferred with his counsel.)

Mr. KRETHEOTIS. Sir, I respectfully decline to answer, first, under the freedom of speech, freedom of press, right to assemble peacefully clauses of the first amendment to the Constitution of the United States; second, the question does not appear to me to be pertinent to any subject the investigation of which was authorized by the Act of Congress creating this committee; third, the question does not appear to me to be pertinent to the subject of inquiry as announced prior to the commencement of this hearing; and fourth, under the self-incrimination clause of the fifth amendment of the Constitution of the United States.

The CHAIRMAN. Do you think you would be prosecuted criminally if you told us what your name is?

Mr. KRETHEOTIS. I decline to answer for the reasons already stated, sir.

The CHAIRMAN. All right.

Mr. TAVENNER. You stated that your nickname is Jack, that you sometimes have been known as Zack, and that is an indication that you are also known by some other name. Now, tell this committee what that name is. It is a preparatory question. It is a matter of identification.

Mr. KRETHEOTIS. I decline to answer, sir, for the reasons already stated.

Mr. SCHERER. I ask that you direct the witness to answer.

The CHAIRMAN. You are directed to answer the question.

Mr. KRETHEOTIS. I decline to answer for the reasons already stated.

Mr. TAVENNER. It is noted that you are accompanied by counsel.

Will counsel please identify himself?

Mr. STANTON. I wondered if you would get around to me.

Mr. TAVENNER. If we could find out the name of your witness we would.

Mr. STANTON. All right. Now you know him.

Mr. TAVENNER. Now, if you would give us your name, sir.

The CHAIRMAN. Your right name.

Mr. STANTON. My right name. Stanton is my name. David P. Stanton, a lawyer from Gary.

Mr. TAVENNER. When and where were you born, Mr. Kretheotis?

Mr. KRETHEOTIS. I decline to answer for the reasons already stated.

Mr. TAVENNER. Are you a citizen?

Mr. SCHERER. Just a moment. I think we ought to have a direction there.

The CHAIRMAN. You are directed to answer the question.

Mr. SCHERER. You understand, Witness, when the chairman directs you to answer the question it means that the committee refuses to accept the reasons you advance for not answering the question?

Mr. KRETHEOTIS. Sir, I decline to answer for the reasons that I already stated.

Mr. TAVENNER. Have you served in the Armed Forces of the United States?

Mr. KRETHEOTIS. I decline to answer, sir.

Mr. SCHERER. I ask you direct the witness.

The CHAIRMAN. You are directed to answer the question.

Mr. KRETHEOTIS. I decline to answer for the reasons already stated, sir.

Mr. SCHERER. How could it possibly incriminate you to tell us whether you served in the Armed Forces of the United States?

Mr. KRETHEOTIS. I decline to answer for the reasons already stated, sir.

Mr. TAVENNER. Where do you now reside?

Mr. KRETHEOTIS. I decline to answer for the reasons already stated, sir.

Mr. TAVENNER. Have you at any time within the past 5 years been a member of an organized unit or group of the Communist Party within the steel industry in Gary?

Mr. KRETHEOTIS. I decline to answer, sir, for the reasons already stated.

Mr. TAVENNER. Did you state, as among your reasons for refusing to answer, that you relied upon the fifth amendment?

Mr. KRETHEROTIS. That is right.

Mr. TAVENNER. Do you honestly believe that to answer that question might tend to incriminate you?

Mr. KRETHEROTIS. I decline to answer for the reasons already stated.

Mr. TAVENNER. Are you now employed as a steel worker by U. S. Steel?

Mr. KRETHEROTIS. I decline to answer for the reasons already stated, sir.

Mr. SCHERER. I request that the chairman direct the witness to answer.

The CHAIRMAN. You are directed to answer that question. How could that possibly incriminate you?

Mr. KRETHEROTIS. I decline to answer for the reasons already stated.

Mr. SCHERER. Mr. Chairman, it is obvious the witness is invoking the fifth amendment improperly to that question, and at least this member of the committee is of the opinion that he is in contempt.

Mr. TAVENNER. Have you at any time served as a member of the Steel Section of the Communist Party in Gary?

Mr. KRETHEROTIS. I decline to answer for the reasons already stated, sir.

Mr. TAVENNER. Were you a member of the Communist Party and, as a Communist Party member, identified with a unit organized within steel in 1950?

Mr. KRETHEROTIS. I decline to answer for the reasons already stated, sir.

Mr. TAVENNER. Have you been a member of the Communist Party at any time within the last 2 years?

Mr. KRETHEROTIS. I decline to answer for the reasons already stated.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. KRETHEROTIS. I decline to answer.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Have you any questions, Mr. Scherer?

Mr. SCHERER. No.

The CHAIRMAN. There are no further questions. You are excused. This committee will recess for five minutes.

(Brief recess.)

The CHAIRMAN. The committee will be in order.

Call your next witness, Mr. Tavenner.

Mr. TAVENNER. Mr. Joseph E. LaFleur, will you come forward, please?

The CHAIRMAN. Will you raise your right hand, please, Mr. LaFleur?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?

Mr. LaFLEUR. Yes, sir.

The CHAIRMAN. Thank you. Have a seat, Mr. LaFleur.

TESTIMONY OF JOSEPH E. LaFLEUR

Mr. TAVENNER. What is your name, please, sir?

Mr. LaFLEUR. Joseph E. LaFleur.

Mr. TAVENNER. Could you spell your last name?

Mr. LAFLEUR. L-a-F-l-e-u-r.

Mr. TAVENNER. Mr. LaFleur, it is the practice of this committee to advise all witnesses that they have a right to have counsel with them during the course of their testimony, if they so desire. You have that right the same as any other witness.

Mr. LAFLEUR. I need no counsel.

Mr. TAVENNER. When and where were you born, Mr. LaFleur?

Mr. LAFLEUR. I was born in the upper peninsula of Michigan in a town called Schaffler, Mich.

Mr. TAVENNER. The date of your birth?

Mr. LAFLEUR. April 1, 1911.

Mr. TAVENNER. Where do you now reside?

Mr. LAFLEUR. I reside at 700 Harrison, Gary, Ind.

Mr. TAVENNER. How long have you lived in Gary, Ind.?

Mr. LAFLEUR. It would be approximately 21 years this year.

Mr. TAVENNER. What has been your educational background?

Mr. LAFLEUR. My educational background is grade school, 2 years of high school, and self education.

Mr. TAVENNER. You came to Gary in what year?

Mr. LAFLEUR. 1936.

Mr. TAVENNER. What has been your principal employment in Gary since that time?

Mr. LAFLEUR. My principal employment has been approximately a year with Montgomery Ward and the rest of the time with U. S. Steel.

Mr. TAVENNER. In what plant of U. S. Steel are you employed?

Mr. LAFLEUR. It is known as the Sheet and Tin Mill.

Mr. TAVENNER. Are you employed there now?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Mr. LaFleur, were you ever a member of the Young Communist League?

Mr. LAFLEUR. Yes, sir. I was.

Mr. TAVENNER. When was that, Mr. LaFleur.

Mr. LAFLEUR. Approximately the better part of 1937.

Mr. TAVENNER. Was that in Gary, Ind.?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. How long were you a member?

Mr. LAFLEUR. As I indicated, approximately a year.

Mr. TAVENNER. Approximately a year?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. So that if you became a member in 1937 you dropped out either in that year or 1938?

Mr. LAFLEUR. The latter part of the year: yes, sir.

Mr. TAVENNER. Did you at some later time become affiliated with the Communist Party itself?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. What were the circumstances under which you became associated with the Communist Party after having dropped out of the Young Communist League?

Mr. LAFLEUR. Well, the circumstances were that the Federal Bureau of Investigation was interested in getting a man that would go into the Communist Party knowing his way around.

Mr. TAVENNER. Excuse me. There is a little noise in the heating system. If you will speak a little louder, please, it is a little hard to hear you.

Mr. LAFLEUR. Excuse me.

The Federal Bureau of Investigation was interested in getting a man to go into the Communist Party ranks, with which I was familiar, and to give a factual account of what went on in Communist ranks.

Mr. TAVENNER. As a result of that, were arrangements made for you to enter the Communist Party and report to the Federal Bureau of Investigation?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. What year did that occur?

Mr. LAFLEUR. That occurred approximately the spring of '42 or earlier.

Mr. TAVENNER. Will you tell the committee what gave you an opportunity to actually get into the Communist Party? Not the details of how it was managed, but what gave you the opportunity?

Mr. LAFLEUR. The opportunity, circumstances were such that I could easily get back in, knowing my way around in Communist circles, by having belonged to the YCL; there was a recruiting group going on at that time.

Mr. TAVENNER. So you permitted yourself to be recruited?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Do you recall at this time the name of any individual who was active in encouraging you to submit to recruitment?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Who was that?

Mr. LAFLEUR. Two of the brothers of Malis family and Tony Burgess, now deceased.

Mr. TAVENNER. What members of the Malis family are you referring to?

Mr. LAFLEUR. I am referring to Cash, Chris Malis, and I am not certain on the other one, but there was another one.

Mr. TAVENNER. Cash. Now is Cash his real name or his nickname?

Mr. LAFLEUR. Cash is a nickname.

Mr. TAVENNER. And his real name is Chris?

Mr. LAFLEUR. Chris.

Mr. TAVENNER. Malis. How do you spell Malis?

Mr. LAFLEUR. M-a-l-i-s.

Mr. TAVENNER. As a result of the talk that you had with those persons, did you become enrolled in the Communist Party?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. At that time you were working with—

Mr. LAFLEUR. I was working at the Sheet and Tin Mill.

Mr. TAVENNER. What group of the Communist Party were you assigned to when you first became a member?

Mr. LAFLEUR. Well, at that time it was just an organizational basis, like a big community setup; and I was immediately assigned to literature director or agent.

Mr. TAVENNER. You became literature director immediately after becoming a member?

Mr. LAFLEUR. Yes, sir, almost immediately.

Mr. TAVENNER. What was the general nature of your duties as literature director?

Mr. LAFLEUR. The nature of my duties was to distribute literature, make it available at party meetings—in the main private party meetings—and mass meetings and to talk on either—

Mr. TAVENNER. When you speak of literature, you are speaking of Communist Party documents and leaflets and pamphlets?

Mr. LAFLEUR. Exclusively.

Mr. TAVENNER. And books?

Mr. LAFLEUR. Exclusively.

Mr. TAVENNER. I would like to know what other official positions you had within the Communist Party.

Mr. LAFLEUR. Shortly after, I was appointed on the sustaining fund committee.

Mr. TAVENNER. What is the sustaining fund committee?

Mr. LAFLEUR. The sustaining fund committee is funds collected from regular members, Communists, to sustain, in the main, the section organizer and the organization branches and so forth.

Mr. TAVENNER. To pay the salaries of the functionaries?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. How long did you serve on that committee?

Mr. LAFLEUR. I held that almost till—that is, the sustaining fund committee job—almost till, oh, I would say, roughly '46.

Mr. TAVENNER. Did you hold any other positions in the Communist Party?

Mr. LAFLEUR. In 1946, that is, the fall of '46, I was elected branch chairman of the community branch.

Mr. TAVENNER. Now, the community branch.

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Well, I will ask you a little more about the organization setup later.

You were chairman of the community branch about how long?

Mr. LAFLEUR. Approximately a year from '46 to the latter part of '47.

Mr. TAVENNER. Did you hold any other positions?

Mr. LAFLEUR. No, sir. That was about it, with the exception of leadership committees, county board, county council, and stuff like that.

Mr. TAVENNER. I think it might be well for you to describe the organizational setup of the Communist Party here, both in the City of Gary and in Lake County, just what the organizational setup of the Communist Party was.

Mr. LAFLEUR. Well, basically, in its simplest form, they had a County Section, what was known as a County Section, and a Community Section, and although they made many organizational changes it remained basically the same. Steel was included in the County Section, all the steel mills of the area.

Mr. TAVENNER. The steel mills were in the County Section?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. So that the Steel Section and the County Section were virtually the same?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Known as the same thing?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. How many different units or groups were there in the Steel Section of the Communist Party?

Mr. LAFLEUR. You mean steel mills, sir?

Mr. TAVENNER. Yes.

Mr. LAFLEUR. Well, the Big Mill, the Sheet and Tin——

Mr. TAVENNER. Wait a minute. Not so fast. The Big Mill?

Mr. LAFLEUR. Yes.

Mr. TAVENNER. Yes.

Mr. LAFLEUR. Sheet and Tin.

Mr. TAVENNER. That is where you worked.

Mr. LAFLEUR. Yes. Youngstown, Inland.

Mr. TAVENNER. Inland?

Mr. LAFLEUR. Inland Steel.

Mr. TAVENNER. Yes.

Mr. LAFLEUR. And maybe one more. I can't think of it at the moment.

Mr. TAVENNER. Then you spoke of the Gary section, the City Section.

Mr. LAFLEUR. The City Section mainly was other workers that worked out of steel, waiters, waitresses, business people, and even outside of Gary, like Griffith, a small town outside that was included in the community setup.

Mr. TAVENNER. How long a period of time were you active in the Communist Party in behalf of the Federal Bureau of Investigation?

Mr. LAFLEUR. As near as I can place it, it was 10 years.

Mr. TAVENNER. That would be from 1942 then to approximately 1952.

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. I will ask you a little bit later about the circumstances which necessitated your getting out of the Communist Party.

Now, we are considering here at this hearing testimony which will be of some value to the committee in determining just what tactics were used by the Communist Party in basic industry. That is the principal thing that we are interested in. And then the extent and the character and the objects of the Communist propaganda within the steel unions. What can you tell the committee from your own experience in the Communist Party about the interests of the Communist Party in the establishment of Communist units within steel?

Mr. LAFLEUR. I understood even during the war years when Howard Lawrence was section organizer and being the leading figure in the Communist community, he made it very plain that the concentration should be on unions, where there is a large number of members and they could gain control of these unions by intensive work. The main theme was recruitment; recruit and make these members Communists, that was basic.

Mr. TAVENNER. Was that plan carried out here of centering upon the organization of men within the steel unions?

Mr. LAFLEUR. Yes, sir. It was carried out to a large extent in the Big Mill and the other mill outside the Gary area. In Sheet and Tin they were not too successful.

Mr. TAVENNER. Can you recall at this time what the usual membership of the Communist Party was within the steel unions at any

one time? Necessarily, it would fluctuate, from time to time, with different members. But what was the normal membership of the Communist Party in steel while you were in steel?

Mr. LAFLEUR. That would include just a County Section.

Mr. TAVENNER. That is while you were in the Communist Party?

Mr. LAFLEUR. I would place it at 60 members, that is, dedicated members, that is, I am not including the average rank-and-file in that. It would have been much higher.

Mr. TAVENNER. Were many of those Communist Party members in steel active in union affairs?

Mr. LAFLEUR. Yes, sir. At least, by their own word they were. We had meetings of all sorts. We had to make proposals and perform certain tasks and follow-up meetings after that. I was quite certain that these people were Communists. I had seen all the evidence, that is, mainly, the facts that the FBI was interested in. They were not interested in my dreaming up anything. I reported what I had seen, and they were actually Communists, all of them.

Mr. TAVENNER. Now, among this group of Communist Party members who were employed in the steel industry, were there a number of young men?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Do you know where those young men came from?

Mr. LAFLEUR. I understood some came from New York and other parts, and they appeared approximately at the same time.

Mr. TAVENNER. When those young men came, how did it happen that they became identified with the Communist Party if they came in here as strangers?

Mr. LAFLEUR. They weren't strangers to me. They were Communists when they came here.

Mr. TAVENNER. Did they identify themselves immediately with Communist Party activities upon arriving here?

Mr. LAFLEUR. Immediately. There was no need for subterfuge inside the Communist meetings.

Mr. TAVENNER. One of the witnesses on the stand here a little while ago was a man by the name of Samter—

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Who came here from New York in 1949. Can you tell this committee from your own personal knowledge whether he was a member of the Communist Party?

Mr. LAFLEUR. He certainly was. I reported to the FBI very definitely that I even seen his party card, and there happened to be a recruiting drive on at that time, too.

Mr. TAVENNER. When he came here, how soon after his arrival was it that he became identified with Communist Party activities?

Mr. LAFLEUR. Practically the same week.

Mr. TAVENNER. What relative position did he have in the Communist Party? I mean was he active or inactive, passive, or how would you describe his activities?

Mr. LAFLEUR. He was soon put in charge of a group and at one time even trying to lead or induce the Sheet and Tin Mill group to become active and function.

Mr. TAVENNER. Were these bright young men, who came from the colleges in the East to take up more or less menial jobs in labor, active in the labor organization?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Were those activities in the labor organization discussed and passed on by the Communist Party in its meetings?

Mr. LAFLEUR. It certainly was. They were instructed upon the meetings, and I might say at times browbeaten for a little more action. A lot of things they failed to do.

Mr. SCHERER. That they failed to do within the union, do you mean?

Mr. LAFLEUR. Yes, sir.

Mr. SCHERER. In carrying out Communist Party policy?

Mr. LAFLEUR. Yes, sir; Communist tasks of all sorts.

Mr. SCHERER. What was this man's name you referred to, Samton?

Mr. LAFLEUR. Samter.

Mr. TAVENNER. Samter.

Mr. SCHERER. Was he still a member of the party when you left it?

Mr. LAFLEUR. Yes, sir; he was.

Mr. SCHERER. In 1952?

Mr. LAFLEUR. Approximately '52, that is, some part of '52.

Mr. TAVENNER. Now, let us go for a moment to the Gary section or the City Section of the Communist Party. Just for purposes of general knowledge, how strong was that group in numbers?

Mr. LAFLEUR. Being the branch chairman, I could be quite certain as to how many members they had. These were not people that were receiving Daily Workers and going out and saying they were Communists. They were actually dues-paying Communists. I had seen most of their books, their party books. At one time I held a list with the party book numbers. It numbered about 30 to 35 as near as I can remember.

Mr. TAVENNER. How is it that you as an employee in the tin and—what is it?

Mr. LAFLEUR. Sheet and tin.

Mr. TAVENNER. Sheet and tin plant were selected for the chairmanship of the branch in the City of Gary, which was a neighborhood branch or community branch, as I understand.

Mr. LAFLEUR. That is right, sir. As I indicated before, the Sheet and Tin Mill unit was not functioning. They needed somebody to take over the leadership in the community branch. I was available. The best description—the excuse I can give for those who refused to function was they didn't want to stick their necks out, and I was chosen—elected chairman or president of the Community Branch.

Mr. TAVENNER. Now, you held that position for about a year?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. And that was around 1946 as I understand.

Mr. LAFLEUR. The latter part of '46 into the latter part of '47, as near as I can remember.

Mr. TAVENNER. Yes. Now, did any change occur which required you to go back to units in steel?

Mr. LAFLEUR. Yes, sir. Later on it did.

Mr. TAVENNER. What was that?

Mr. LAFLEUR. The change of organizer, the sharpening of the issues that they called the class struggle; and they made plans to push people whether they wanted to or not, push the comrades available.

Mr. TAVENNER. The program was being put into effect at that time of concentrating in industry, was it not?

Mr. LAFLEUR. Yes, sir. That is, in the main. That was the main objective.

Mr. TAVENNER. I understood you to say that you served in the capacity of a member of the section.

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Just what is that, the section? Isn't that just the next level higher above the cells or groups?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. The next level is the section level?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Who were the members of the section?

Mr. LAFLEUR. Of the Community Section or the County Section?

Mr. TAVENNER. Well, of the steel?

Mr. LAFLEUR. Of steel?

Mr. TAVENNER. I am not speaking of names, but how were the members chosen or selected who were members on the section level?

Mr. LAFLEUR. Mainly they were steelworkers. They had to be militant. They belonged to the section.

Mr. TAVENNER. Was there a representative from each one of the units that became a member of the Steel Section? Was it organized in that form?

Mr. LAFLEUR. Yes, sir. There were numerous reorganizations. It is pretty hard to describe without referring to the basic structure.

Mr. TAVENNER. What type of activity did those engage in who were members on the section level?

Mr. LAFLEUR. Well, first and foremost, recruiting, peddling of propaganda by their papers, literature, and so forth and, of course, fighting for the issues on the union floor, such as during the war the no-strike pledge, and after the war the work stoppages and then strikes, and some political questions, like the drive for Henry Wallace, the third-party movement, and so on.

Mr. TAVENNER. Do you recall what position was taken with regard to the Marshall Plan?

Mr. LAFLEUR. The Marshall Plan was discussed at length and propagandized all out of proportion. Needless to say they did not like the Marshall Plan.

Mr. TAVENNER. Did the Communist Party endeavor to influence the local unions to take a position against the Marshall Plan?

Mr. LAFLEUR. Yes, sir. I do not know how successful they were. They talked about it at length. I cannot indicate what their success was.

Mr. TAVENNER. Was it part of the program of the Communist Party, acting through the section members, to advance various programs of the Communist Party in the unions which had to do with international affairs and which were not related to union affairs at all?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. That was part of the propaganda plan?

Mr. LAFLEUR. Yes, sir. The outstanding issue during the war was the no-strike pledge. We were allies of Russia at the time. Their main loyalty was the Russians. To hear them propagandize at times, you would think they lived in Russia, not in the United States. They played that up big.

Mr. TAVENNER. What sort of an organization was there next above the section level?

Mr. LAFLEUR. The state level.

Mr. TAVENNER. Was there anything intermediate between the section and the state?

Mr. LAFLEUR. I don't understand what you mean.

Mr. TAVENNER. Was there a County Committee?

Mr. LAFLEUR. Oh, yes; there was a County Committee, yes sir, County Board, County Committee. They called it by various names.

Mr. TAVENNER. Did you serve on it?

Mr. LAFLEUR. Yes, sir, although at times when not serving I was invited to attend meetings.

Mr. TAVENNER. How frequently did you attend meetings of the Steel Section—

Mr. LAFLEUR. How frequently?

Mr. TAVENNER. Of the Communist Party.

Mr. LAFLEUR. How frequently?

Mr. TAVENNER. Yes, how frequently. And over what period of time?

Mr. LAFLEUR. Aside from 1946, when I served in the community branch, practically the entire time—I take that back—for the latter 2 years—approximately 7 years I had access to all the committees.

Mr. TAVENNER. That would be up to about 1950.

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. That you had access to the meetings.

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. How frequently were these meetings held?

Mr. LAFLEUR. They would average once every 2 weeks, I would say.

Mr. TAVENNER. Would you say that those who were members on a section level were leaders in the Communist Party?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. I would like for you to tell the committee who were prominent, that is, the names of persons who were prominent on a section level of the Communist Party during the period from 1946 or '47 through to 1950, who met with you in those meetings. But before answering that question, may we have a few minutes recess?

The CHAIRMAN. Yes. The committee will stand in recess for 5 minutes.

(Brief recess.)

The CHAIRMAN. The committee will be in order, please.

Mr. TAVENNER. Mr. LaFleur, do you have in mind the question that I asked you?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Now, in answering that question, I would be glad to know about the activities of the individuals that you mentioned. It will serve as a means of further identification of the persons whom you will name.

Mr. LAFLEUR. Yes, sir. Kretheotis, Jack Kretheotis.

Mr. TAVENNER. Jack Kretheotis. The person who would not give his full name here before the committee a few minutes ago.

Mr. LAFLEUR. Yes, sir. He was known in party circles as Jack Kreth.

Mr. TAVENNER. What?

Mr. LAFLEUR. Kreth. K-r-e-t-h.

Mr. TAVENNER. Jack Kreth.

Mr. LAFLEUR. Kreth. He just shortened his name.

Mr. TAVENNER. He served on the section level?

Mr. LAFLEUR. Yes, sir. He was very articulate at Communist conventions, at least 2 held here in Gary.

Mr. SCHERER. More articulate than he was here?

Mr. LAFLEUR. Sir?

Mr. SCHERER. I say he was more articulate in Communist conventions than he was here.

Mr. LAFLEUR. Yes, sir. Very vocal in private Communist meetings, and, from all indications, proof positive he carried out the work of the Communist Party.

Mr. TAVENNER. He was in a position to have given this committee information if he had desired to do so?

Mr. LAFLEUR. Oh, yes, sir.

Mr. TAVENNER. Very well.

Mr. SCHERER. I want to ask one question. He was still an active Communist at the time you left the party in 1952?

Mr. LAFLEUR. Yes, sir, undoubtedly. Robert Kates.

Mr. TAVENNER. Robert Kates. Did he testify today?

Mr. LAFLEUR. Yes, sir, he testified today. He was also very vocal. He was also very vocal; and if you take their word, they succeeded a lot in their objectives. They worked at the steel mill.

Mr. TAVENNER. Do you recall anything about the circumstances of his coming here to Gary?

Mr. LAFLEUR. Well, the time was approximately around 1947, I would put it, and he came with, as I termed it, the functioning of the branches, the units, various organizational setups that they had were weak and they filled in.

Mr. TAVENNER. These bright young men strengthened the weak units of the Communist Party?

Mr. LAFLEUR. Yes, sir; with particular emphasis on steel.

Mr. TAVENNER. Do you know exactly what year it was when he came here?

Mr. LAFLEUR. I just surmise it, sir. He probably came before that.

Mr. TAVENNER. You don't know the date on which he came?

Mr. LAFLEUR. No, I don't sir.

Mr. SCHERER. Did you know at the time they came that they had the educational background that has been developed here this morning?

Mr. LAFLEUR. Yes, sir. That was very apparent. It was apparent through the vocabulary in discussing things and the understanding they had as Communists.

Mr. TAVENNER. Did they exercise leadership in the Communist Party?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. These young men, these bright young men?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Like Kates?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. And in the union?

Mr. LAFLEUR. Yes, sir. They were told that their main task was in the mill units.

Mr. SCHERER. Were you aware of the fact that they did not, at the time they came here, disclose in their applications for employment to the employer that they had the educational training that they had? Were you aware of that at the time?

Mr. LAFLEUR. No, I was not, sir.

Mr. SCHERER. You learned that subsequently?

Mr. LAFLEUR. Well, I guessed it at the time. I learned it for sure subsequently.

Mr. SCHERER. You guessed that a man with the educational qualifications that these men apparently had would not be working on an assembly line?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Or, one of them indicated in his application this morning, an electrician's helper.

Mr. LAFLEUR. Yes, sir. I am quite sure it was right around '47 or '48 that that party came to Gary.

Mr. TAVENNER. Very well. Would you proceed, please.

Mr. LAFLEUR. Yellin.

Mr. TAVENNER. Yellin?

Mr. LAFLEUR. Yellin.

Mr. TAVENNER. He has also testified here.

Mr. LAFLEUR. Yes, sir. He was very active in the party. I don't recall any unusual characteristics of his work. He was very well educated. It was apparent, and it bolstered the forces here that were very weak.

Mr. TAVENNER. Was he a member of the Communist Party when you left it?

Mr. LAFLEUR. Yes, sir.

Mr. SCHERER. Let me refresh my own recollection, Mr. Tavenner. Wasn't Yellin the man who went to Michigan University?

Mr. TAVENNER. Yes, sir.

Mr. SCHERER. He changed from an arts course to an engineering course at Michigan?

Mr. TAVENNER. Yes.

Mr. SCHERER. He is the one that studied calculus.

Mr. TAVENNER. And had an "Excellent—A" rating on many difficult engineering subjects.

Mr. SCHERER. And he is the one who came to work as an electrician's helper. I remember that.

Mr. TAVENNER. Yes, sir. And he had transferred to Michigan from the City College of New York.

Mr. LAFLEUR. William Young was another man that was a Commie.

Mr. TAVENNER. William Young?

Mr. LAFLEUR. Yes, sir. He was also—well, he had been an old-line party member for a long time, for the good part of the war and up to '50; and he was instrumental in reporting at closed Communist meetings about things that went on in the union, the complete proposals and plans of the union, and so on and so forth, the policy committee plans, wage committee plans, and so on.

Mr. TAVENNER. Was he a member when you left the party?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Very well sir.

Mr. LAFLEUR. Joe Norrick.

Mr. TAVENNER. Would you spell the last name?

Mr. LAFLEUR. N-o-r-r-i-c-k.

Mr. TAVENNER. He was a member on the section level?

Mr. LAFLEUR. Yes, sir. All those I am mentioning are on a sectional level. I will indicate otherwise when I come to, or I think of, any member.

He was very vocal at closed party meetings and he carried on the work of the Communist program very faithfully, and nothing outstanding.

Joe Gyurko.

Mr. TAVENNER. Would you spell the last name?

Mr. LAFLEUR. G-y-u-r-k-o, I think. Comrade Joe, as I analyzed him, was more or less the rank-and-file type, and he carried on the usual job that the rank and file has, distribution of leaflets, and so on.

Mr. TAVENNER. You would not classify him as one of the leaders in this work?

Mr. LAFLEUR. No, sir: not in the section level. John Sargent. He was very ambitious, a very militant leader, as I remember him.

Mr. SCHERER. Did he work in the steel pool?

Mr. LAFLEUR. Yes, sir.

Mr. SCHERER. And active in the steel union?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. What about his regularity in attendance at these meetings on a section level that you attended?

Mr. LAFLEUR. Quite good regularity, but I did not see him too often because my work prevented me. It was just incidental that we didn't run into each other too often. John Gates.

Mr. TAVENNER. Was Sargent a member of the Communist Party when you left it?

Mr. LAFLEUR. To my knowledge, he was. John Gates. He was quite able. A Negro. He was induced by Howard Lawrence to join the party, as far as I know, and he carried out quite a bit of work.

Mr. TAVENNER. Who was Howard Lawrence?

Mr. LAFLEUR. Howard Lawrence was the section organizer during the war years up to '47.

Mr. TAVENNER. He was a Communist Party functionary?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Devoted his full time to organizational work?

Mr. LAFLEUR. Yes.

Mr. TAVENNER. Very well.

Mr. SCHERER. Where is Lawrence today, if you know?

Mr. LAFLEUR. I last heard he was in California, sir. There was Nick Migas.

Mr. TAVENNER. Would you spell the last name?

Mr. LAFLEUR. M-i-g-a-s.

Mr. SCHERER. Going back to Lawrence, do you know what Lawrence is doing today?

Mr. LAFLEUR. He left Gary under a cloud. He disagreed with a lot of the party people, and they didn't expel him, but he left here.

Mr. SCHERER. You don't know what his occupation is as of this time?

Mr. LAFLEUR. No, sir. Then of course the 5—

Mr. TAVENNER. Just a moment. About Nick Migas.

Mr. LAFLEUR. Oh.

Mr. TAVENNER. A person by the name of Nick Migas was identified by—

Mr. LAFLEUR. Lautner.

Mr. TAVENNER. John Lautner this morning.

Mr. LAFLEUR. Yes, and he was correct. I was going to say he was on a higher level, and he went all the way in the Communist infiltration. He had a lot of trouble with the steel union and he became under a cloud. Of course, that helped the Communist Party get hold of him for his full services.

Mr. TAVENNER. Yes. We already heard from Mr. Lautner that Nick Migas was sent in here by the Communist Party—

Mr. LAFLEUR. Yes.

Mr. TAVENNER. For definite Communist Party purposes.

Mr. LAFLEUR. Yes. I might mention in that connection Joe Chandler.

Mr. TAVENNER. Joe Chandler. How well did you know Joe Chandler?

Mr. LAFLEUR. Pretty well, and he stayed here several years, and he, too, was on a higher level. I agree with Mr. Lautner because I seen it first hand. He worked in the union quite at length and he was sent to Washington at one time on a lobbying job and he had the party forces under him on that lobbying job, as I understand, on the union business.

Mr. TAVENNER. Were you acquainted with the wife of Joe Chandler?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. What was her position in the Communist Party, if any?

Mr. LAFLEUR. She was a functionary of the Community Branch when I was president. I don't recall the position she held, but she held something like secretary or educational director or something like that.

Mr. TAVENNER. Very well.

Mr. LAFLEUR. Nick Busic.

Mr. TAVENNER. Busic. He was a witness here.

Mr. LAFLEUR. Yes.

Mr. TAVENNER. This afternoon.

Mr. LAFLEUR. He was a member in 1950 or maybe further, to my knowledge, at the time. He was quite faithful at party meetings in carrying on the work of the Communist Party. No unusual other characteristics. Lawrence Meskimen. He didn't work in steel.

Mr. TAVENNER. Will you spell that name, please.

Mr. LAFLEUR. M-e-s-k-i-m-e-n.

He was also very articulate at party meetings of every sort and he worked in oil refineries. According to his own word, he was quite successful on all phases of their work, recruiting and so on and so forth.

Mr. SCHERER. Do you know where he is today?

Mr. LAFLEUR. I understand he is still around. I never heard anything different, sir. I wouldn't know.

Mr. SCHERER. Do you mean around Gary?

Mr. LAFLEUR. Yes, sir. Of course, there were the 5 Malis brothers.

Mr. SCHERER. Five what brothers?

Mr. LAFLEUR. Malis brothers, 5 Malis brothers.

Mr. TAVENNER. Were all 5 at one time or another members of a section group or on the section level?

Mr. LAFLEUR. No. Cash and Keg—that is, Cash, Chris Malis, and Keg, Albert Malis, were more or less on the section level that we are talking about. The other 2 and Vic, including Vic, the other two, I knew them as Sully and Sy, that would be Willard and Walter, respectively—

Mr. TAVENNER. Yes.

Mr. LAFLEUR. Were on a lower plane.

Mr. SCHERER. The Malis brothers. What did they do? What was their business?

Mr. LAFLEUR. They were steelworkers.

Mr. SCHERER. All steelworkers?

Mr. LAFLEUR. All steelworkers.

Mr. TAVENNER. Were you acquainted with the wife of Vic Malis?

Mr. LAFLEUR. Yes.

Mr. TAVENNER. What was her name?

Mr. LAFLEUR. I think it is Anne, although I have no other—

Mr. TAVENNER. Do you recall her last name?

Mr. LAFLEUR. No, sir.

Mr. TAVENNER. Before marriage?

Mr. LAFLEUR. No, sir; not at the moment.

Mr. TAVENNER. Will you proceed?

You have named the 5 Malises. Let me ask you this: Do you recall whether one of the Malises was involved here in an incident in which the American Flag was torn down and a Russian flag substituted for it?

Mr. LAFLEUR. Yes, I recall it. It came second hand to me.

Mr. TAVENNER. Then if it came second hand—

Mr. LAFLEUR. I have no first-hand information, no, sir. But I was aware of it at the time, though.

Mr. TAVENNER. All right. Will you proceed, please, with the names of any others that you can recall who served on the section level with you?

Mr. LAFLEUR. I mentioned Joe Chandler.

Mr. TAVENNER. Yes.

Mr. LAFLEUR. Arthur Daronatsy.

Mr. TAVENNER. Will you spell that name, please?

Mr. LAFLEUR. D-a-r-o-n-a-t-s-y, I think. He was, when I first knew him, in approximately '42, on the CIO County Council; and he had an interest as a comrade in all things pertaining to the infiltration of steel, non-strikes, so on and so forth. He attended party classes, for example, Marxism-Leninism, value of price and profit, Communist Manifesto. It was proof positive that he was a functioning Communist. In fact, he helped with the training and instruction of lower functioning comrades.

Mr. TAVENNER. Yes. Were there any other functionaries that attended these particular meetings with some regularity?

Mr. LAFLEUR. Yes. Katherine Hyndman was one.

Mr. TAVENNER. Who?

Mr. LAFLEUR. Katherine Hyndman.

Mr. TAVENNER. Would you spell the last name?

Mr. LAFLEUR. H-y-n-d-m-a-n.

Mr. TAVENNER. Mr. Chairman, our investigation shows that Katherine Hyndman was arrested on a deportation warrant on January 5,

1949, and that there was a final order of deportation issued on January 29, 1953, to send her to Yugoslavia, but Yugoslavia refused to accept her.

I mentioned that because in the bill now presented by you in the House and which has been referred to this committee, there is a section relating to the problem of countries that have refused to admit these deportees.

This is one of those incidents.

The CHAIRMAN. Of course, it might be a simple way to meet the situation by writing into the Foreign Aid Bill a provision that no part of the appropriation should be made to any country that fails to comply with the United States law. That would be a simple way to meet the problem.

Mr. TAVENNER. That would be particularly applicable as to Yugoslavia.

The CHAIRMAN. That is what I have in mind.

Mr. TAVENNER. Now, let me ask you this question: Was she actively engaged in Communist Party activities after her arrest in January of 1949?

Mr. LAFLEUR. Yes, sir. If I may explain, I don't mean to give the impression that she gave all of her talent to the steel units. She aided in that substantially. But she was on a higher plane and she was practically on a plane with, let us say, the section organizer, the highest political plane.

Mr. TAVENNER. That was even after she was under arrest?

Mr. LAFLEUR. Yes, sir. She was the organizational secretary, I know, up until '49.

Mr. TAVENNER. Yes. Do you have any personal knowledge of facts that would indicate that she is now one of the active organizers or active members of the party here in Gary?

Mr. LAFLEUR. Yes. When I left the party I had heard state organizers tell her that she was going to be the organizer when they had to leave. When the prosecution of the top 12 was taking place, Jim West left for the national coordinator, I believe you call it, or Midwest coordinator. I can say with positive note that she agreed to take over as organizer, as section organizer. They may have given it another name at the time, but it meant the same thing.

Mr. TAVENNER. Let us see if you can recall the names of any other persons who were on this section level group with you. Do you recall a person by the name of Lehrer?

Mr. LAFLEUR. Yes, he was.

Mr. TAVENNER. Lehrer. How do you spell the name?

Mr. LAFLEUR. It is spelled L-e-h-r-e-r.

Mr. TAVENNER. Lehrer.

Mr. LAFLEUR. I knew him as L-a-i-r, by that name.

Mr. TAVENNER. Yes.

Mr. LAFLEUR. He was the usual pretty conditioned Communist on a high level, section level.

Mr. TAVENNER. Was he one of the older men in the party or was he one of the young group that came in from the East?

Mr. LAFLEUR. I think he was one of the new ones that came in from the East.

Mr. TAVENNER. Was he still a member when you left the party?

Mr. LAFLEUR. No. I have to correct that. I am not sure whether he came from the East, but I am positive that I knew him. I will correct that statement.

Mr. TAVENNER. Do you recall whether he was a member when you left the party?

Mr. LAFLEUR. Yes, sir, he was.

Mr. TAVENNER. Do you recall a man by the name of Rebraca?

Mr. LAFLEUR. He was known to me as Louie or Owl Rebraca. I think his right name was Lazo, L-a-z-o, and he participated, I know, because I made reports regularly on him up until 1950.

Mr. TAVENNER. Are there any others that come to your mind at this time?

Mr. LAFLEUR. Not at the moment, sir.

Mr. TAVENNER. Now, I asked you about the functionaries that attended the meetings with you. Were there any higher functionaries from out of the State who attended and imparted the Communist Party line to your group?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Can you name some of them?

Mr. LAFLEUR. At different times on the national issues, such as the no-strike pledge during the war, Steve Nelson took a party whip and came to town and harangued us at least on what to do and what we should accomplish. And he remarked at one time, I remember vividly, that we should terrorize, if necessary, terrorize by most psychological effect, and that was done quite at length in Communist circles.

William Patterson.

Mr. TAVENNER. William Patterson?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Was he the chairman of the Civil Rights Congress?

Mr. LAFLEUR. He was at one time, I believe, sir. He told in private Communist meetings that we should be militant. I am trying to strike the exact meaning to bring across. He scolded us for backwardness in all tasks, union work and so on and so forth. He gave reasons why we should be more militant and told the fact that the Communist Party was the salvation of the United States. He told why he became a Communist, the main reason being that the two existing political parties in the United States, the Democrats and the Republicans, had failed to satisfy him, and he turned to communism for the answer. That is, in essence, the message he brought.

Mr. TAVENNER. Recalling very vividly his opposition to this committee in the course of its meeting in Detroit, back in 1952 or 1953, I only wish we had had that information at that time.

Are there any others that you can now recall?

Mr. LAFLEUR. Well, there were the state leaders, George Sandy and Elmer Johnson. There was—for the moment I can't think of the other person—Gil Green; Gilbert Green, to my mind, is the personification of the underground leader in America today, if we can take into consideration his record since the top 12 were prosecuted. He chided and harangued the Communists here for lack of action on all fronts.

Mr. SCHERER. Mr. Counsel?

Mr. TAVENNER. Yes, sir.

Mr. SCHERER. Wasn't Gil Green one of the many who were recently released by the Supreme Court rule?

Mr. TAVENNER. I would not like to state positively.

Mr. SCHERER. That is the reason I asked you.

Mr. LAFLEUR. There were others like Onda, O-n-d-a. They dealt in union circles on labor. There was Lightfoot, people like that.

Mr. TAVENNER. From Chicago?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Now, I would like to hear from you at this time the circumstances leading up to the termination of your work in the Communist Party.

Mr. LAFLEUR. Well, during the deportation hearings, various people here in Gary, namely, Katherine Hyndman, James MacKay, I was suspected of carrying information to the FBI. By process of elimination, they established that I could have been the undercover man for the FBI. I could see a change coming over. They were going into cells. They were practically underground at the time. Their whole attitude changed. They split into small circles and into cells, as low as 3 people, all suspecting one another.

Katherine Hyndman, in the course of her fight against deportation, helped to organize the CRC.

Mr. TAVENNER. Civil Rights Congress?

Mr. LAFLEUR. Civil Rights Congress, and we formed a chapter here. From her attitude and what she said at the time, I took it as a punishment that I was taken out of the steel unit, which hadn't functioned—and I might say here that I helped along in that direction, that it wouldn't function as long as I was in it—and I was put in the CRC. I was put back to literature director or secretary at the time. That is what they called it.

Mr. TAVENNER. Was she, herself, engaged actively in the work of the Civil Rights Congress at that time?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. So she kept you under pretty strict surveillance from then on, didn't she?

Mr. LAFLEUR. I was the one being watched.

Mr. TAVENNER. Was the membership of the Civil Rights Congress composed of members of the Communist Party?

Mr. LAFLEUR. Yes. There were some. I can recall Pat Taxel, Lemar Holstead, of course, myself, and Mrs. Hyndman, were Communists. I didn't deduce that from our work in the CRC. We met at Communist meetings. There were others that I can't recall at the moment.

Mr. TAVENNER. Did the Communist Party direct and control the activities of that organization?

Mr. LAFLEUR. Yes, sir, we were ordered what to do.

Mr. TAVENNER. While we are at this point, let me ask whether or not members of the Communist Party were assigned to do work in various front organizations or various organizations that were not fronts in an effort to infiltrate them, in addition to the labor unions.

Mr. LAFLEUR. Yes. One outstanding example that I can think of is that we were told to go into this organization to influence the members; and I want to say that they were unaware that this person was coming in, or persons, comrades. Mary Chandler and Ethel Strangel went into the League of Women Voters; and from their own stories, they influenced the organization to a certain extent. How far, how deep they went, I don't know.

Mr. TAVENNER. At least they endeavored to do it.

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Was an effort made to infiltrate other organizations in the area?

Mr. LAFLEUR. Yes, sir.

Of course IWO was practically run by the Communists, the Russian War Relief was run directly by Communists, the Peace Crusades they had, and so on. That is about it, sir, that I can recall at the moment.

Mr. TAVENNER. After you were placed in the Civil Rights Congress and taken out of your former work—let me ask you first about what year was that that you were put in the Civil Rights Congress and taken out of your former work?

Mr. LAFLEUR. Approximately 1950, the latter part of 1950 to '51.

Mr. TAVENNER. What occurred after that?

Mr. LAFLEUR. Well, as they would describe, the class struggle got tighter and tighter and it didn't exist outside of their own organization. The class struggle was in the Communist Party, and gradually I had to bow as gracefully as I could. I was no longer of any use to the Communist Party.

Mr. TAVENNER. Then you terminated your membership?

Mr. LAFLEUR. Yes, sir. I never terminated. I just dropped out. There is a saying that you never leave the Communist Party. You are expelled. I never was expelled.

Mr. TAVENNER. I would like to go back to one of these persons that you mentioned, Vic Malis.

Mr. LAFLEUR. Yes.

Mr. TAVENNER. Do you know of any special activity he engaged in, in addition to the attendance at party meetings and the work in the union?

Mr. LAFLEUR. Yes. I couldn't pin it down to the year, but he quit 14 years' seniority in the mill, 14 years' service to take over the Co-operative Restaurant at 1428 Broadway, and that was on orders of the Communist Party.

Mr. TAVENNER. Why was the Communist Party interested in having this man surrender his seniority in order to run a restaurant?

Mr. LAFLEUR. They wanted to keep a tight rein on that cooperative restaurant, and the main objective plainly was to keep that meeting hall, keep the meeting hall and also to control the workers there.

Mr. TAVENNER. You mean the Communist Party held its meetings there?

Mr. LAFLEUR. Yes, sir.

Mr. TAVENNER. Was the Communist Party having difficulty in finding a hall in which it could meet with proper secrecy?

Mr. LAFLEUR. I venture to say that they anticipated that, and the events proved that they had difficulty.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Have you any questions, Mr. Scherer?

Mr. SCHERER. I have no questions.

The CHAIRMAN. Mr. LaFleur, I am sure you do not realize fully how great has been your contribution to the preservation of those things that mean so much, not only to us Americans but to the world. People generally are not aware of the machinations of the Communists, nor were they aware in many of the countries which, through infiltration, are now behind the Iron Curtain.

I do not know how to begin to thank you. Your contribution may be as great as that of a division in the Army.

Mr. LAFLEUR. Thank you, sir.

The CHAIRMAN. Who knows, but you certainly have done a great service toward the preservation of this Republic that all of us do or should love.

Mr. LAFLEUR. Thank you.

The CHAIRMAN. And I thank you very much.

Mr. LAFLEUR. Thank you. My pleasure.

The CHAIRMAN. The committee will stand in recess until ten tomorrow morning.

(Whereupon, at 4:30 p. m., February 10, 1958, the subcommittee recessed, to reconvene at 10 a. m., Tuesday, February 11, 1958.)

**INVESTIGATION OF COMMUNIST INFILTRATION AND
PROPAGANDA ACTIVITIES IN BASIC INDUSTRY**
(Gary, Ind., Area)

TUESDAY, FEBRUARY 11, 1958

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Gary, Ind.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met pursuant to recess, at 10 a.m. in the Council Chamber, Municipal Building, Gary, Ind., Hon. Francis E. Walter (chairman of the committee) presiding.

Committee members present: Francis E. Walter, of Pennsylvania (presiding), and Gordon H. Scherer, of Ohio.

Staff members present: Frank S. Tavenner, Jr., counsel, and Raymond T. Collins, investigator.

The CHAIRMAN. The subcommittee will come to order.

The custodian of the building has requested me to announce that smoking is not permitted. It is impossible to ventilate the room, and the fire hazard, of course, is considerable. So that I request you to refrain from smoking at this session.

Call your first witness.

Mr. TAVENNER. Mr. Robert Lehrer, will you come forward, please, sir.

The CHAIRMAN. Will you raise your right hand, please, sir?

Do you swear the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God.

Mr. LEHRER. I do.

**TESTIMONY OF ROBERT LEHRER, ACCOMPANIED BY COUNSEL,
WILLARD J. LASSERS**

Mr. TAVENNER. Will you state your name, please, sir?

Mr. LEHRER. Robert Lehrer.

Mr. TAVENNER. Will you spell your last name?

Mr. LEHRER. L-e-h-r-e-r.

Mr. TAVENNER. Lehrer. It is noted that you are accompanied by counsel.

Will counsel please identify himself for the record?

Mr. LASSERS. Yes, certainly. My name is William J. Lassers, 11 South LaSalle Street, Chicago, Illinois.

Mr. TAVENNER. When and where were you born, Mr. Lehrer?

Mr. LEHRER. November 6, 1925, in New Jersey, Stelton, N. J.

Mr. TAVENNER. Excuse me, I didn't understand where.

Mr. LEHRER. Stelton, New Jersey.

Mr. TAVENNER. Stelton, New Jersey?

Mr. LEHRER. Yes, sir.

Mr. TAVENNER. Where do you now reside?

Mr. LEHRER. 1073 Pierce Street, in Gary.

Mr. TAVENNER. How long have you lived in Gary?

(The witness conferred with his counsel.)

Mr. LEHRER. I refuse to answer that question and I would like to state my grounds.

I respectfully refuse to answer that question on the grounds that I need not do so under the first amendment and the Federal Due Process clause of the Constitution of the United States that the question under inquiry has not been properly defined, that the question is not pertinent to the question under inquiry, that the question is unrelated to any legislative purpose, that the resolution establishing the Committee on Un-American Activities is indefinite and vague, that the committee and this subcommittee are improperly constituted and lack jurisdiction of the subject matter.

I do not base my refusal to answer upon the privilege against self-incrimination of the fifth amendment of the Constitution of the United States, but do reserve every other ground, constitutional and otherwise, available to me.

Mr. TAVENNER. What other constitutional grounds do you rely on? You stated constitutional grounds in general. Let me make it more specific. Are you relying on the constitutional grounds set forth in the fifth amendment relating to self-incrimination testimony?

Mr. LEHRER. I think that is clear in my statement.

Mr. TAVENNER. Are you relying on the fifth amendment?

Mr. LEHRER. May I read again what I said?

Mr. TAVENNER. No. Just answer the question. Are you refusing to answer on the ground of the self-incriminatory clause of the fifth amendment?

(The witness conferred with his counsel.)

Mr. LEHRER. No. But I am relying on other parts of the fifth amendment.

Mr. TAVENNER. Mr. Chairman, it certainly is self-evident, the pertinency of the question as far as the period of residence of this witness in Gary is concerned, when the subject under inquiry relates to Communist Party activities in Gary. I believe it would need no explanation of the pertinency of the statement other than to state that.

So, unless the chairman thinks otherwise, I suggest that he be directed to answer.

The CHAIRMAN. Yes. I think that is correct. You are directed to answer that question.

(The witness conferred with his counsel.)

Mr. LEHRER. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Are you an employee in the steel industry?

Mr. LEHRER. I refuse to answer that on the same grounds.

The CHAIRMAN. You are directed to answer that question.

Mr. LEHRER. I refuse to answer on the grounds previously stated.

Mr. SCHERER. Where are you employed?

Mr. LEHRER. I refuse to answer that question, too, on the same grounds.

Mr. SCHERER. I ask for a direction.

The CHAIRMAN. You are directed to answer the question as to where you are employed.

Mr. LEHRER. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Mr. Lehrer, you have stated that you are a resident of Gary. Let me ask you whether or not, during the period of time that you have been a resident of Gary, there has been practiced in the steel plants in Gary a colonization of young Communists from the eastern part of the country to this area.

Mr. LEHRER. I refuse to answer that question on the same grounds.

(The chairman and Mr. Tavenner conferred.)

Mr. TAVENNER. Were you present in the hearing room yesterday when the chairman made his opening statement?

(The witness conferred with his counsel.)

Mr. LEHRER. I refuse to answer that question, too, on the same grounds.

Mr. SCHERER. Now, Mr. Chairman, I ask you to direct the witness.

The CHAIRMAN. I direct that you answer the question whether or not you heard my opening statement. Certainly nobody is going to get in trouble for listening to that statement.

Mr. LEHRER. I refuse to answer on the grounds first stated.

Mr. TAVENNER. Were you present in the hearing room during the testimony of Mr. Lautner and Mr. LaFleur?

Mr. LEHRER. I refuse to answer that question, too, on the same grounds.

Mr. TAVENNER. Mr. Lehrer, I think I should advise you that the committee has received sworn testimony here at this hearing that it was the practice of the Communist Party, it was a Communist Party plan, to induce bright young men in various parts of the United States and in educational institutions, to break off from the completion of their education and go into basic industry for the purpose of strengthening the grass roots of the Communist Party in basic industry and to afford strong leadership to Communist Party groups which for one reason or another had become weakened.

Now, the committee has heard evidence that you came to Gary, Ind., and that you became identified with the Communist Party, and it is our purpose now to inquire from you as to the exact techniques used

by the Communist Party in sponsoring and putting into effect this plan that we call colonization.

Now, will you tell the committee, please, whether such a plan of colonization came to your attention and became known to you while you have been in Gary?

Mr. LEHRER. I refuse to answer that question on the same grounds.

Mr. SCHERER. Now, Mr. Chairman, direct the witness.

The CHAIRMAN. You are directed to answer that question.

Mr. SCHERER. I think I should say, Mr. Chairman, to the witness, that when the chairman directs you to answer the question it means that this committee does not accept the reasons you give for refusal to answer the question and that if you persist in refusing to answer the question you subject yourself to possible contempt proceedings.

Mr. LEHRER. I refuse to answer that question on the grounds I have already stated.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. LEHRER. I refuse to answer that question on the grounds stated, and I think my education is my own business.

Mr. TAVENNER. Is it not a fact that you hold an AB degree from Rutgers University in New Brunswick, N. J.?

Mr. LEHRER. I refuse to answer that question. I don't see where it is pertinent. I refuse to answer on the grounds I previously stated.

Mr. TAVENNER. May I have a direction?

The CHAIRMAN. You are directed to answer the question.

Mr. LEHRER. I refuse to answer on the grounds I have already stated.

Mr. TAVENNER. I hand you a photostatic copy of a record in the name of Robert Lehrer from Rutgers University and ask you whether or not that is, as far as you can determine, a correct record of your 3 years' work at Rutgers University.

(Document handed to witness.)

Mr. LEHRER. I refuse to answer that question on the grounds I have already stated.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Lehrer Exhibit No. 1."

The CHAIRMAN. Let it be marked and made a part of the record.

Mr. TAVENNER. Mr. Lehrer, did you make application for employment in steel on August 30, 1949 in Gary?

Mr. LEHRER. I refuse to answer that question on the grounds I have already stated.

Mr. TAVENNER. I hand you a photostatic copy of an application for employment at Carnegie-Illinois Steel Corp. bearing date of August 30, 1949, at the end of which there is signed in ink the name, Robert Lehrer.

(Document handed to witness.)

Mr. TAVENNER. Will you examine the signature and state whether or not that is your signature?

Mr. LEHRER. I refuse to answer that question on the grounds I have already stated.

Mr. TAVENNER. That is your name, is it not, signed at the bottom of the application?

Mr. LEHRER. I refuse to answer that question also on the same grounds.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Lehrer Exhibit No. 2."

The CHAIRMAN. Mark it and let it be made a part of the record.

BUSINESS PREFERENCES NOT RELATIVES

NAME: *John J. Brennan* ADDRESS: *1500 1st Ave. N. Minneapolis, Minn.*

DATE: *10/1/47*

CHILDREN AND DEPENDENTS

NAME	DATE OF BIRTH	RELATIONSHIP
<i>None</i>		

RELATIVE IN EMPLOY OF THE U. S. STEEL CORPORATION AT PRESENT TIME

NAME: *None*

RELATIVE PENSIONED BY U. S. STEEL CORPORATION, DISABLED OR DIED IN SERVICE OF U. S. STEEL CORPORATION

NAME AND RELATIONSHIP	DATE OF BIRTH	DATE OF DEATH	CAUSE OF DEATH
<i>None</i>			

SCHOOL WORK

NAME	NAME OF SCHOOL	DATE OF BIRTH	DATE OF DEATH	CAUSE OF DEATH
<i>None</i>				

LANGUAGES

NAME	LANGUAGE	DATE OF BIRTH	DATE OF DEATH	CAUSE OF DEATH
<i>None</i>				

STATE OF APPLICANT: *MINNESOTA*

SIGNATURE OF APPLICANT: *John J. Brennan*

DATE: *10/1/47*

OVER

Mr. TAVENNER. Now, if you will hand it to me.

Mr. LASSERS. We haven't finished examining it.

The CHAIRMAN. Take the document, counsel.

(The document was returned to Mr. Tavenner.)

Mr. LASSERS. We haven't finished examining it. Can we have a copy?

Mr. TAVENNER. You have examined that copy. Inasmuch as your witness refused to identify his signature I don't see why he wants to see it.

Mr. LASSERS. We haven't finished examining the document, Counsel.

The CHAIRMAN. The witness declined to answer the question so the application can be of no interest to you.

Mr. LASSERS. We have not finished examining this document.

The CHAIRMAN. You already refused to answer questions. All right. Go ahead.

Mr. LASSERS. We have a right to examine the document whether we refused to answer questions on it or not.

The CHAIRMAN. Go ahead.

Mr. TAVENNER. May I have the other document?

(Document handed to Mr. Tavenner.)

Mr. TAVENNER. Exhibit No. 1 showing your record at Rutgers University shows—

(The witness conferred with his counsel.)

Mr. TAVENNER. Excuse me. Shows that you were in attendance for your first year at Rutgers for the year 1946-47, the second year 1947-48, the third year 1948-49. During that same period of time were you employed in any industry?

(The witness conferred with his counsel.)

Mr. LEHRER. I would like to see that employment application again.

The CHAIRMAN. This isn't relating to that at all. Were you employed at any place at all while you were at college?

(The witness conferred with his counsel.)

Mr. LEHRER. I feel that counsel and I have a right to examine the original document and it was taken away from counsel.

The CHAIRMAN. This question has nothing at all to do with the original document at all.

If you will identify your signature on that application there by indicating that you have some legitimate interest in it you will certainly be permitted to identify it. In view of the fact you have not identified your signature, I don't know what possible interest you might have in that piece of paper.

(The witness conferred with his counsel.)

Mr. LEHRER. I believe that is for us to determine.

The CHAIRMAN. Yes. All right. Whether or not you see it is for me to determine, so there we are.

Mr. TAVENNER. Will you answer the question?

Mr. LEHRER. Would you repeat the question, sir?

Mr. TAVENNER. The question was whether or not you were employed in industry at any time during the period between 1946 and 1949.

Mr. LEHRER. I refuse to answer that question on the grounds I have already stated.

(The witness conferred with his counsel.)

I would like to see that employment application again. It was taken from my counsel's hand.

Mr. TAVENNER. Yes, because you refused to testify as to anything with regard to the application, either as to the identification of your signature or as to having even made such an application.

But may I ask you, if I show you this application for the purpose of refreshing your recollection as to employment in industry, would you answer the question?

(The witness conferred with his counsel.)

Mr. LEHRER. I will determine that after I see the document.

The CHAIRMAN. Mr. Tavenner, would you suspend a moment?

(Announcements off the record.)

The CHAIRMAN. Go ahead.

Mr. TAVENNER. Very well.

I will be very glad to show you the document again but before doing so let me ask you whether this application truthfully stated your educational background when you submitted it to Carnegie Steel?

(The witness conferred with his counsel.)

Mr. LEHRER. I insist on seeing the document.

(Document handed to witness.)

Mr. TAVENNER. Will you examine the document and tell us whether or not you concealed any facts relating to your educational training? You will find it on the back page—the reverse side.

Mr. SCHERER. You don't expect him to answer that, do you, Mr. Tavenner?

The CHAIRMAN. I thought you were interested in the statements with respect to employment.

Mr. TAVENNER. Both statements.

The CHAIRMAN. It is quite obvious they are not interested in it now. Have you an extra copy of that?

Mr. TAVENNER. No, sir.

Mr. COLLINS. There was only one photostat.

Mr. TAVENNER. Will you answer the question?

(The witness conferred with his counsel.)

The CHAIRMAN. You don't have to go to all that trouble. We will give it to you after we have completed using it.

Mr. LASSERS. May we retain this copy?

The CHAIRMAN. After we have finished with it we will give it to you because we have the original.

Mr. LASSERS. With the understanding we will allow——

The CHAIRMAN. We will save you the trouble of copying it.

Mr. LASSERS. With that understanding.

Mr. TAVENNER. I will have a copy made and sent to you.

Mr. LASSERS. We will retain this copy.

The CHAIRMAN. We will give you this copy to expedite the hearing. Go ahead.

Mr. LEHRER. Will you repeat your question, please, sir?

Mr. TAVENNER. My question was whether or not at the time that application was prepared you concealed from your employer your educational background by not putting anything in your application regarding it.

Mr. LEHRER. I refuse to answer that question on the grounds I previously stated.

Mr. TAVENNER. Now, I want the record to show that the witness has not looked at this application which he said he had to have before he answered that question. You knew when you asked me for the document you weren't going to answer that question, didn't you?

The CHAIRMAN. And were not going to look at it.

Mr. TAVENNER. I told you that the information was on the back of the document. You have not turned it over to look at it, have you? You are practicing the same kind of deceit with this committee now that you practiced in your company when you filed that application, isn't that so?

Mr. LEHRER. I don't see that it is any of the committee's business what I do on an application.

The CHAIRMAN. Well, it is the business of the committee and of the Congress of the United States to prevent people from practicing deception in order to conceal the real purpose of their seeking employment in a particular place.

Go ahead.

Mr. TAVENNER. Were you a member of the Communist Party—will you let me see the document a minute?

Mr. LASSERS. On the understanding that I will have it back.

Mr. SCHERER. Oh, come on.

The CHAIRMAN. Stop that.

Mr. SCHERER. You know better.

(Document handed to Mr. Tavenner.)

Mr. TAVENNER. On August 30, 1949, the date of this application—

Mr. LEHRER. Would you restate your question?

Mr. TAVENNER. Were you a member of the Communist Party on August 30, 1949, the date of this application?

Mr. LEHRER. I refuse to answer that question on the grounds I have already stated.

The CHAIRMAN. You are directed to answer the question.

Mr. LEHRER. I refuse to answer that question on the grounds I have already stated.

Mr. TAVENNER. Were you advised by any member of the Communist Party to come to Gary for the purpose of filing this application for employment?

Mr. LEHRER. I refuse to answer that question on the grounds I have already stated.

Mr. TAVENNER. Mr. Chairman, I would like to read into the record the report of school work as required to be filled out on this application form.

The CHAIRMAN. Proceed.

Mr. TAVENNER. Under the title of school work it is stated as kinds of school work, "high school, New Brunswick High, from September 1939 to June 1943." "College" is left entirely in blank.

Why did you conceal in this application the fact that you had a B. A. degree from Rutgers University?

Mr. LEHRER. I feel that my education is my business and I refuse to answer that question on the grounds that I have already stated.

The CHAIRMAN. Don't you think it was the business of the United States Steel in appraising your suitability for employment to know that you had been graduated from Rutgers University?

Mr. LEHRER. I refuse to answer that question on the grounds I have already stated.

The CHAIRMAN. Or did you forget that you had gone to college 4 years when you filed that application?

Mr. LEHRER. Is that a question, sir?

The CHAIRMAN. That is a question.

Mr. LEHRER. I refuse to answer that question on the grounds I have already stated.

Mr. TAVENNER. Your application shows during the period of time we have shown by exhibit No. 1 when you were attending Rutgers University, that you were working for the Pennsylvania Railroad Co. in New Brunswick from May 1948 to October 1948 and that you were working for the Aaron Plumbing Supply Co. from November 1948 to June 1949. Is that correct?

Mr. LEHRER. I refuse to answer that question on the grounds I have already stated.

Mr. TAVENNER. Were you so employed at those two places?

Mr. LEHRER. I have already answered that I refuse to answer that question on the grounds that I have already stated.

Mr. SCHERER. Of course he wasn't. It was another fraud perpetrated.

(Document handed to Mr. Lassers.)

Mr. TAVENNER. What was the nature of your employment at the United States Steel Corp.?

Mr. LEHRER. I refuse to answer that question on the grounds that I have already stated.

Mr. TAVENNER. Didn't you become a third helper in the melting and pit operations division?

Mr. LEHRER. I refuse to answer that question on the grounds I have already stated.

Mr. TAVENNER. On your arrival in Gary did you immediately identify yourself with the Communist Party by affiliating with it here?

Mr. LEHRER. I refuse to answer that question on the grounds that I have already stated.

Mr. TAVENNER. Did you hear the testimony of Mr. LaFleur yesterday in which he testified that you were a member of the section group, the Steel Section Group of the Communist Party—

(The witness conferred with his counsel.)

Mr. TAVENNER. Up as late as the time that he left the Communist Party?

Mr. LEHRER. I refuse to answer that question on the grounds that I have already stated.

Mr. TAVENNER. Well, were you a member of the section group of the Communist Party, the Steel Section Group?

Mr. LEHRER. I refuse to answer that question on the grounds that I have already stated.

Mr. TAVENNER. Will you tell the committee whether or not at this time Communist colonization of the steel industry is being practiced in Gary?

Mr. LEHRER. I refuse to answer that question on the grounds I have previously stated.

Mr. TAVENNER. May I have a direction?

The CHAIRMAN. Yes. You are directed to answer that question.

Mr. LEHRER. I refuse to answer that question on the grounds that I have previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMEN. Have you any questions, Mr. Scherer?

Mr. SCHERER. Mr. Chairman, this witness is so obviously in contempt of the Congress by his refusal to answer the questions and not even invoking the fifth amendment, that I move this subcommittee recommend to the full committee that this witness be cited for contempt of Congress.

The CHAIRMAN. I think we ought to wait until our colleague of the subcommittee, Mr. Tuck, has an opportunity to hear from us. I do not think there is any question about the action that will be taken, but I think we ought to let him know what is in the record. We will defer action on the motion until Governor Tuck sees the record.

The witness is excused.

Call your next witness.

Mr. TAVENNER. Mr. Albert Malis, please.

The CHAIRMAN. Raise your right hand, please.

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MALIS. I do.

TESTIMONY OF ALBERT "KEG" MALIS, ACCOMPANIED BY COUNSEL, JUSTIN WAITKUS

Mr. TAVENNER. What is your name, please, sir?

Mr. MALIS. Albert "Keg" Malis.

Mr. TAVENNER. Would you spell your last name?

Mr. MALIS. M-a-l-i-s.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. WAITKUS. My name is Justin Waitkus, 589 Broadway, Gary, Ind.

Mr. TAVENNER. When and where were you born, Mr. Malis?

Mr. MALIS. January 24, 1914.

Mr. TAVENNER. Where?

Mr. MALIS. In Gary.

Mr. TAVENNER. You are a native of Gary?

Mr. MALIS. Yes, sir.

Mr. TAVENNER. How are you employed, Mr. Malis? What is the nature of your employment?

Mr. MALIS. I am a steel worker.

Mr. TAVENNER. A steel worker?

Mr. MALIS. Yes, sir.

Mr. TAVENNER. Do you hold any official position in your union?

Mr. MALIS. Yes, I do.

Mr. TAVENNER. What is that position?

Mr. MALIS. Well, I am a trustee.

Mr. TAVENNER. A trustee?

Mr. MALIS. Yes.

Mr. TAVENNER. Will you tell the committee briefly what your formal education and training has been?

Mr. MALIS. Well, I have gone through grade school and high school.

Mr. TAVENNER. When did your employment in the steel industry begin?

Mr. MALIS. It was 1936.

Mr. TAVENNER. And you have been constantly employed there since that time?

Mr. MALIS. Well, most of the time, yes. I was laid off at one time in the slack time.

Mr. TAVENNER. Did you serve in the Armed Forces?

Mr. MALIS. No, sir.

Mr. TAVENNER. So, since 1936 you have been constantly employed there except for temporary shutdowns or temporary layoffs?

Mr. MALIS. Three sessions, yes, sir.

Mr. TAVENNER. How long have you been an official of your union?

Mr. MALIS. Well, I have held several elected posts.

Mr. TAVENNER. Tell us first when you became trustee.

Mr. MALIS. I believe I became trustee in—well, we have our elections in June, and I think we are inaugurated in July, officially put into office, and I believe it was 1952.

Mr. TAVENNER. And you have been trustee since that time?

Mr. MALIS. Since that time; yes, sir.

Mr. TAVENNER. Prior to that what position did you hold in the union?

Mr. MALIS. I was a grievance committee man.

Mr. TAVENNER. For how long a period of time?

Mr. MALIS. Bear with me. This has been a while.

Mr. TAVENNER. Yes; I understand.

Mr. MALIS. I am trying to think.

Mr. TAVENNER. Approximate.

Mr. MALIS. To the best of my knowledge, I believe it was in the same thing. We always have our elections in June and inaugurated in July. I believe it was 1946, that I was——

Mr. TAVENNER. Yes.

Mr. MALIS. To the best of my memory.

Mr. TAVENNER. Well, Mr. Malis, the committee has received testimony here from Mr. LaFleur that you were a member of the Communist Party during the period that he was active in Communist Party work here, at least from 1945 or 1946 up until 1950 or maybe 1951. Was he correct in that identification of you?

Mr. MALIS. Who? On whose testimony did you say?

Mr. TAVENNER. Mr. LaFleur.

Mr. MALIS. Mr. LaFleur?

Mr. TAVENNER. Yes.

Mr. MALIS. And specifically what did he say? I was present, but I was in the back and I couldn't hear too well.

Mr. TAVENNER. He said that you were a member of the Communist Party up until the period that he himself dropped out from active participation in Communist Party work, which apparently was in 1950 or 1951.

Mr. MALIS. Well, that statement is not correct.

Mr. TAVENNER. Well, were you a member of the Communist Party?

Mr. MALIS. Yes; I was at one time.

Mr. TAVENNER. Up until what time?

Mr. MALIS. To the best of my knowledge, and I have been trying to think back and trying to find out, I always thought that I had gotten out either in late 1944 or early in 1945. But in thinking back and everything else, it must have been a little later, because I know the war was over, and so it must have been sometime late in 1945, I believe, or even possibly very early in 1946. I don't remember, but sometime in that area.

Mr. TAVENNER. Well, did you attend any closed sessions of the Communist Party after 1945?

Mr. MALIS. To the best of my knowledge, I don't remember attending any.

Mr. TAVENNER. You say to the best of your knowledge you do not remember. Now, wouldn't you know whether or not you attended any closed meetings of the Communist Party? Wouldn't a thing of that sort be something that you could answer definitely?

Mr. MALIS. Well, as far as I know, there never actually was any closed meetings of the party. I mean in the sense that you had to show any identification or anything that you actually were a member of the party to be in at any time that I was in the party.

The CHAIRMAN. Where were the meetings held?

Mr. MALIS. Sir?

The CHAIRMAN. Where were the meetings held?

Mr. MALIS. Well, they were held in various places.

The CHAIRMAN. Name some of them.

Mr. MALIS. Well, it has been a long time ago, but they had some headquarters in various places in Gary.

The CHAIRMAN. Where were the headquarters?

Mr. MALIS. Well, it seemed like at some times they were on 18th somewhere—I forgot whether it was Adams or Jefferson—somewhere in that neighborhood there was a headquarters.

The CHAIRMAN. Was it a hall or an office?

Mr. MALIS. I believe it was a store front of some kind, an abandoned store front, a store, a building.

The CHAIRMAN. How many people attended the meetings?

Mr. MALIS. Well, it has been so long ago that I mean—

The CHAIRMAN. To the best of your recollection how many people attended the meetings?

Mr. MALIS. Well, of course now, like I say, I was in it for quite a while, these conditions varied in different circumstances.

The CHAIRMAN. What was the maximum number of people to ever attend a meeting that you attended, approximately?

Mr. MALIS. Well, I wouldn't know as people who I assumed to be Communist Party members—I don't know. Maybe sometimes it might have been 15 or 20 and then it varied all over the map.

The CHAIRMAN. Who were they?

Mr. MALIS. Sir?

The CHAIRMAN. Who were they?

Mr. MALIS. Who are they?

The CHAIRMAN. Yes. Who were the 20 people that you say attended?

Mr. MALIS. I don't remember.

The CHAIRMAN. Do you want us to believe that you attended meetings regularly as a Communist and you don't remember any of the people who attended the meetings with you? But still you are able to tell us approximately how many people attended the meetings.

Mr. MALIS. I said it was a guess on my part. It has been so long ago that I couldn't possibly remember.

The CHAIRMAN. Yes, but you belonged for a long period of time.

Mr. MALIS. Yes, sir.

The CHAIRMAN. During that long period of time who were the most active members of the party with you?

Mr. MALIS. Well, actually I have no evidence to testify that anyone was a member of the party, but in my opinion I think there was some people that probably were.

The CHAIRMAN. Why don't you tell us who they were? Maybe we can talk to them and maybe they can help the Congress of the United States in its struggle in this field.

Mr. MALIS. Well, I think that if the committee wants to know about any people the best I can do is try to recall whoever is concerned.

The CHAIRMAN. We are all concerned. Why don't you tell us who these people were?

Mr. MALIS. I will tell you, it has been so long ago that I——

The CHAIRMAN. Go ahead, Mr. Tavenner.

Mr. TAVENNER. You said you would try to the best that you can to recall.

Mr. Chairman, it might be well for us to confer with this witness before further testimony as to names by him. We would not want him to make a mistake, of course.

The CHAIRMAN. That is what I have in mind. We would not want him to name names here because he says it is difficult to remember, and he might make a mistake and name people who were not members of the party, so I suggest that the witness step aside. The subpoena will remain in effect and then Mr. Collins or one of our investigators will be in touch with you some day and we will see if you can be of assistance.

Mr. TAVENNER. It will give us an opportunity to check on the information.

The CHAIRMAN. That is right. All right. You are still under subpoena, Mr. Malis.

Mr. MALIS. I am still under subpoena?

The CHAIRMAN. We will let you know when to appear.

Mr. MALIS. For these hearings?

The CHAIRMAN. Yes. Not this week. Not today.

Mr. WAITKUS. Not for this hearing?

The CHAIRMAN. That is right.

Mr. WAITKUS. Thank you.

The CHAIRMAN. Call your next witness.

Mr. TAVENNER. Mr. Sargent, will you come forward, please?

The CHAIRMAN. Will you raise your right hand, please?

Do you swear the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God

Mr. SARGENT. I do.

**TESTIMONY OF JOHN SARGENT, ACCOMPANIED BY COUNSEL,
WILLARD J. LASSERS**

Mr. TAVENNER. It is noted for the record that the witness is accompanied by Mr. Lassers, the same counsel who accompanied Mr. Lehrer.

The CHAIRMAN. All right.

Mr. TAVENNER. Will you state your name, please, sir?

Mr. SARGENT. Sir, I have a statement that was notarized that I would like to become part of the printed record. Is that possible?

Mr. TAVENNER. Will you please state your name, sir?

Mr. SARGENT. My name is John Sargent.

Mr. TAVENNER. John Sargent?

Mr. SARGENT. That is right.

Mr. LASSERS. The witness has made a request for the Chairman about some statement.

The CHAIRMAN. We will take it under advisement. I just looked over it hastily and I don't know the relevancy, but it may be that it is.

Mr. TAVENNER. When and where were you born, Mr. Sargent?

(The witness conferred with his counsel.)

Mr. SARGENT. Sir, would you repeat your answer regarding that statement?

The CHAIRMAN. I am sure you heard me.

Mr. SARGENT. I am sorry.

The CHAIRMAN. I said we would take this under advisement.

Mr. SARGENT. Yes, sir.

The CHAIRMAN. I am sure that everything that you have stated there will be gone into at this hearing. You have an opportunity to answer the questions for the record rather than to submit your answers in this fashion.

Mr. TAVENNER. When and where were you born?

Mr. SARGENT. I was born in Chicago, Ill., July 4, 1912.

Mr. TAVENNER. Where do you now reside?

Mr. SARGENT. I now live in Gary at 283 North Hamilton Street.

Mr. TAVENNER. How long have you resided in Gary?

Mr. SARGENT. I would say since about 1934.

Mr. TAVENNER. How are you employed?

Mr. SARGENT. I work for the Inland Steel Co., and I am an electrician in the coal strip department.

Mr. TAVENNER. I notice from a copy of the statement which you submitted, which was passed out to the persons present in the hearing room here by your counsel prior to the meeting being called to order, that you say that about 1931 you joined the radical movement. What radical movement?

Mr. SARGENT. The Young Communist League.

Mr. TAVENNER. Were you ever a member of the Communist Party?

Mr. SARGENT. I think later, yes. Later I was also a member of the Communist Party.

Mr. TAVENNER. You say you think. Well, you know, don't you?

Mr. SARGENT. I said yes, I was a member of the Communist Party in later years.

Mr. TAVENNER. I understood you to say you think. You thought you were a member. Did you know Mr. LaFleur?

Mr. SARGENT. To the best of my recollection I have never seen the man, I don't know him at all.

Mr. TAVENNER. Well, he identified you as a member of the Communist Party. He was correct in that, was he not?

Mr. SARGENT. I was working yesterday. I did not hear the testimony and I would very much like if you could read that testimony to me.

The CHAIRMAN. There is no question about it. He admits he was a member of the Communist Party so there is no need to show him what Mr. LaFleur said.

Mr. SARGENT. Sir? I did not admit I am a member of the Communist Party.

The CHAIRMAN. Were, I said.

Mr. SARGENT. Oh, yes.

Mr. TAVENNER. Mr. LaFleur testified that after 1945 and on up until about the time he left you were a member of the Communist Party, which would have been somewhere around 1950 or 1951, is that correct?

Mr. SARGENT. Well, I would like to again ask you to read for me, since I was not present, the testimony of Mr. LaFleur. I would like to get it in the full context of what he spoke about.

The CHAIRMAN. Let's make it very simple. Were you a member of the Communist Party in 1951?

Mr. SARGENT. No, sir.

The CHAIRMAN. Were you in 1950?

Mr. SARGENT. No, sir.

The CHAIRMAN. All right.

Mr. TAVENNER. Were you a member of the Communist Party in 1945?

Mr. SARGENT. No, sir.

The CHAIRMAN. While you were a member of the Communist Party, were you aware of the influx of bright young men who concealed the fact that they were college graduates into laboring jobs in the steel business?

Mr. SARGENT. Mr. Chairman, I don't think either I or my associates were very bright young men in those days. I was completely unaware of any bright young men who were trying to get jobs in the steel industry who were Communists.

Mr. TAVENNER. Were you acquainted with Mr. Lehrer?

Mr. SARGENT. I met Mr. Lehrer one day last summer when he took my kids home from the beach. That was the first time I ever saw him.

Mr. TAVENNER. When did you leave the Communist Party?

Mr. SARGENT. To the best of my recollection in 1940.

Mr. TAVENNER. In 1940?

Mr. SARGENT. Right.

Mr. TAVENNER. Why did you leave?

Mr. SARGENT. I left the Communist Party because I became discouraged with their methods of work. I no longer believed in what they were trying to do. I felt that the Communist Party had become an instrument of the foreign policy of the Soviet Union, and I was not willing to go along with that situation.

Mr. TAVENNER. Did you express those views at the Communist Party meetings?

Mr. SARGENT. I attended very, very few meetings of the Communist Party, as I remember. I expressed those views to whoever would listen to them, because they were my views.

Mr. TAVENNER. Can you advise the committee of any of the activities of the Communist Party within the steel industry during the course of the past 5 years?

Mr. SARGENT. No, sir. I was not a member of the Communist Party in the past 5 years and know very little if anything about their activities.

Mr. TAVENNER. Did you continue to associate with those who had been members of the Communist Party with you?

Mr. SARGENT. Well, I have no knowledge that anybody was a member of the Communist Party. I associated with people who were in my local union as local union members.

Mr. TAVENNER. As what?

Mr. SARGENT. Local union members and members of the same local union.

Mr. TAVENNER. Will you tell the committee, please, the names of any of the members in your local union who were members of the Communist Party with you? That is, persons who are now there.

Mr. SARGENT. I can't—yes, as far as I know, and I am trying to remember back, I don't know of anybody who was a member of the Communist Party with me. At least I don't remember. I don't know that they remained members of the Communist Party. That is for sure.

Mr. TAVENNER. I understand that. If you have not been connected you would not know whether they are presently active in the Communist Party or not, but my question is whether there are persons there now who were members of the Communist Party with you while you were a member.

Mr. SARGENT. Well, I am sorry, sir. I don't know that I can actually truthfully answer that question. I think you ought to understand this: I was active in the Young Communist League. My association with the Communist Party was very small. The Young Communist League in those days was a rather broad organization of young fellows and girls who got together in socials, sports, got together in bull sessions as young people do, I guess, today.

There was no discipline of any kind that required a person to join the organization. Anybody who came around and wanted to sit around and participate did. For that reason there are numerous people, I presume, who were in and out of the thing, and I would scarcely be able to point my finger at any of those. I mean that is I don't know whether they were members and I don't think that is particularly important. The important thing at the time was to get these young people together and get them to associate together and discuss things together and participate in various sports and social activities.

Mr. TAVENNER. That was in the Young Communist League group that you are speaking of?

Mr. SARGENT. Yes, that was in 1940, 1939 and so on.

Mr. TAVENNER. When did you leave the Young Communist League and become a member of the Communist Party?

Mr. SARGENT. I don't believe I ever left the Young Communist League and became a member of the Communist Party. I think I was both, concurrent, at the same time.

Mr. TAVENNER. I see. During the whole period of your membership?

Mr. SARGENT. Oh, no. I think during the latter part of the period I was responsible and in charge of the Young Communist League and because of that I had to consult with Communist Party members, and that was my association with the Communist Party, largely on the basis of what was happening in the Young Communists.

Mr. TAVENNER. Who was the Communist organizer in 1940, at about the period that you say you dropped out?

Mr. SARGENT. You know, I can't remember. I have actually tried to think. There have been so many people in and out of this thing, and I don't know. And I would certainly dislike to name somebody—

Mr. SCHERER. Did I understand you, Witness, to say that you were in charge of the Young Communist League?

Mr. SARGENT. Yes, sir, that is correct.

Mr. SCHERER. What was your title? Were you director of the Young Communist League in this area?

Mr. SARGENT. No, I think I was called an organizer of the Young Communist League.

Mr. SCHERER. And as such, as an organizer for the Young Communist League, you had contact with Communist Party functionaries in the area, did you not?

Mr. SARGENT. That is correct.

Mr. SCHERER. How long did you retain the position as organizer of the Young Communist League?

Mr. SARGENT. Well, I can't even answer that accurately. I disassociated myself entirely from the whole outfit in 1940.

Mr. SCHERER. I understand that.

Mr. SARGENT. And I would say some years prior to that I became very inactive, both in the Young Communist League and in the Communist Party.

Mr. SCHERER. Did you receive compensation as an organizer?

Mr. SARGENT. No, sir.

Mr. TAVENNER. I got the impression from your statement that you left the Communist Party because you were convinced that the Communist Party was being used as the tool or instrument of a foreign power. That is about the impression that I got from your statement.

Mr. SARGENT. Well, used, as I put it, as a spokesman of a foreign policy of the Soviet Union in this country.

Mr. TAVENNER. Was the Communist Party endeavoring to spread that type of propaganda among the various organized groups of labor?

Mr. SARGENT. I don't know. I presume that they were trying to do that. This was their policy. I mean I can't—unless you ask me a specific question it would be hard to answer it.

Mr. TAVENNER. I am trying to find out at even as early a date as 1940 the extent to which the Communist Party was using its propaganda within the labor unions.

Mr. SARGENT. Well, I think at that time, around that time we had the Hitler-Russian Pact, which might have been perfectly justifiable

so far as the Soviet Union was concerned for their own particular benefit, but I certainly didn't think we ought to get excited about the pact that Stalin made with Hitler. Around that time you had the invasion of Finland, I believe, by Russia, and I wasn't particularly anxious to beat the drums for the Soviet Union on that cause. There were any number of circumstances that led me to believe that we were no longer an organization representing the working people in the town and particularly interested in that problem, that we were becoming more and more the excuse for Russian policy, and I didn't believe that was part of what we were interested in. At least it was not part of what I was interested in.

Mr. TAVENNER. And the Communist Party was trying to use the labor organizations to sponsor its particular line at the time?

Mr. SARGENT. I don't know about labor organizations, but certainly as Communists they were sponsoring that particular position, and I wanted no part of it.

Mr. TAVENNER. Well, wasn't the Communist Party trying to sell that to labor? Wasn't that what they were doing in labor?

Mr. SARGENT. Well, the Communist Party had newspapers, had various ways of selling their position. I don't think they made any secret of their position. That was their position. They were open for it.

Mr. TAVENNER. You have no information as to Communist Party activities within the field of labor at this time?

Mr. SARGENT. No, sir.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Well, it is very refreshing to me and I am sure your case is typical, to know that the workers of this country have come to appreciate, just as they did in Hungary, what this Communist thing is. I am very glad that we had the opportunity of hearing you this morning.

Mr. SARGENT. May I make one comment, Mr. Walter?

The CHAIRMAN. Yes, surely.

Mr. SARGENT. I want you, if you can, to appreciate the conditions which made me join the Young Communist League. I think that is important to your investigation.

The CHAIRMAN. I think I understand as well as anybody. Maybe that is why I went to Congress.

Mr. SARGENT. I want to point out that there was a great depression in the country.

The CHAIRMAN. Yes.

Mr. SARGENT. We didn't know where we were going. I couldn't find employment, together with a lot of other people, and we were all seeking a solution, and I thought this was the solution. We were interested in unemployment compensation, something that we have received now and didn't receive then, better relief, better job opportunities. I daresay there are thousands upon thousands of people that joined under those circumstances.

The CHAIRMAN. But it was the Stalin-Hitler Pact that made you realize that communism was hitting on all these fine, broad general welfares that the liberal people in this country advocated, as a means of foisting on the worker its beliefs, isn't that correct?

Mr. SARGENT. Essentially, that is true.

The CHAIRMAN. When the Stalin-Hitler Pact was entered into you saw through it for what it was?

Mr. SARGENT. That is correct, and I began to feel that the party's primary interest was not that of the people in this country but primarily interested in protecting the Soviet Union.

Now, I have no particular objection to a group of people who would say, "My job and my feeling is that Germany or England or France or any other country should be protected for any reason," but that there should be their cause and there probably would be a lot of people join a cause like that. That was not in my opinion the reason I wanted to belong to the association.

The CHAIRMAN. The only thing I cannot understand is why anybody would remain a Communist after Korea. Up to Korea I can see justification and reason but that should have made it perfectly obvious to everybody just exactly what this is—a power fight for world domination.

Is there any further question?

Thank you. You are excused.

I think we will take a break for about 5 minutes.

(Brief recess.)

The CHAIRMAN. The committee will be in order.

May I remind you that the no-smoking rule is still applicable.

Call your next witness, Mr. Tavenner.

Mr. TAVENNER. Mr. Lazo Rebraca, will you come forward, please?

The CHAIRMAN. Will you raise your right hand, please?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. REBRACA. I do.

TESTIMONY OF LAZO REBRACA, ACCOMPANIED BY COUNSEL, SAMUEL S. DUBIN

Mr. TAVENNER. What is your name, please, sir.

Mr. REBRACA. Lazo Rebraca.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. DUBIN. Sam Dubin, 504 Broadway, Gary.

Mr. TAVENNER. Will you spell your name, Mr. Rebraca?

Mr. REBRACA. R-e-b-r-a-c-a.

Mr. TAVENNER. When and where were you born, Mr. Rebraca?

Mr. REBRACA. I was born in Yugoslavia.

Mr. TAVENNER. When?

Mr. REBRACA. In 1903, March 8.

Mr. TAVENNER. Are you a naturalized American citizen?

Mr. REBRACA. Yes, sir.

Mr. TAVENNER. When and where were you naturalized?

Mr. REBRACA. In Hammond, Ind., 1947.

Mr. TAVENNER. Where do you now reside?

Mr. REBRACA. 3825 Virginia, Gary, Ind.

Mr. TAVENNER. How long have you been a resident of Gary?

Mr. REBRACA. About 37 years.

Mr. TAVENNER. What is the nature of your employment?

Mr. REBRACA. I am a paint inspector.

Mr. TAVENNER. In steel?

Mr. REBRACA. Gary works.

Mr. TAVENNER. Which branch? Where is it located?

Mr. REBRACA. Electrical department.

Mr. TAVENNER. How long have you been employed in steel?

Mr. REBRACA. Approximately 22 years.

Mr. TAVENNER. Mr. Rebraca, will you advise the committee, please, whether or not there is an organized group of the Communist Party within your union?

Mr. REBRACA. Sir, I can't say that there is. I mean I wouldn't understand what is an organized group to begin with. I am not an expert in the field, and all I know is in my union the people I do know as union people. That is about all I could say.

Mr. TAVENNER. Have you been aware of the existence of the Communist Party cell or group in Gary?

Mr. REBRACA. I have not been aware, sir.

Mr. TAVENNER. You have never known of the existence of such a group?

Mr. REBRACA. I have not known of such a group.

Mr. TAVENNER. Then by that we may infer that you have never been a member of the Communist Party, is that correct?

Mr. REBRACA. I have never been a member of the Communist Party, sir.

Mr. TAVENNER. Have you attended Communist Party meetings?

Mr. REBRACA. If I have I didn't know them to be as Communists.

Mr. TAVENNER. You were identified as having been a member of the Communist Party by a witness by the name of Mr. LaFleur.

(The witness conferred with his counsel.)

Mr. REBRACA. Mr. LaFleur in his testimony did not say that I was a Communist. He did, however, imply that I was participating up until 1950. I want to state right here and now that I have not been a Communist, I have not participated, and if Mr. LaFleur has anything else to add to that I would like to hear it.

Mr. TAVENNER. You have never paid Communist Party dues?

Mr. REBRACA. I have not paid any Communist Party dues.

Mr. TAVENNER. Have you made contributions to the Communist Party?

Mr. REBRACA. Not to my knowledge, I haven't, although I am quite generous. Sometimes I donate to a lot of things, but I don't know if they go to a Communist cause or not.

Mr. TAVENNER. Is there any information that you can give the committee at this time of the operations of the Communist Party in Gary?

Mr. REBRACA. I am sorry, sir, but I can't give you any information because I don't know of any such existence.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Mr. Scherer, have you any questions?

Mr. SCHERER. You know Mr. LaFleur?

Mr. REBRACA. I met Mr. LaFleur one time.

Mr. SCHERER. Just once?

Mr. REBRACA. Once.

Mr. SCHERER. Where did you meet him?

Mr. REBRACA. We went to Wallace for President conference.

Mr. SCHERER. Where was that?

Mr. REBRACA. In Indianapolis. He drove me in his car down there.

Mr. SCHERER. Is that the only contact you had with him? How did you happen to go with him in his automobile?

Mr. REBRACA. The phone was given to me for me to call him up and he would be more than happy to drive me down to so-called Progressive Party conference in Indianapolis.

Mr. SCHERER. Was there any other person with you in the automobile?

Mr. REBRACA. No, sir.

Mr. SCHERER. Just you and Mr. LaFleur?

Mr. REBRACA. Just I and Mr. LaFleur.

Mr. SCHERER. You never attended any other meetings with Mr. LaFleur?

Mr. REBRACA. No, sir.

Mr. SCHERER. At any time?

Mr. REBRACA. Never.

Mr. SCHERER. That was the only time you saw him until he appeared in the room here yesterday?

Mr. REBRACA. That is the only time. That is right.

Mr. SCHERER. Did he discuss with you on that trip to Indianapolis any activities of the Communist Party?

Mr. REBRACA. Not to my knowledge.

Mr. SCHERER. Not to your knowledge?

Mr. REBRACA. No, sir.

Mr. SCHERER. I have no further questions at this time.

The CHAIRMAN. You are excused.

Call your next witness.

Mr. TAVENNER. Mr. Joseph Norrick.

The CHAIRMAN. Will you raise your right hand, please?

Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NORRICK. I do.

TESTIMONY OF JOSEPH W. NORRICK, ACCOMPANIED BY COUNSEL, IRVING MEYERS

Mr. TAVENNER. Will you state your name, please, sir?

Mr. NORRICK. Joseph W. Norrick.

Mr. TAVENNER. Will you spell your last name?

Mr. NORRICK. N-o-r-r-i-c-k.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. MEYERS. My name is Irving Meyers, Chicago, Ill. I might add at this moment that I sent a telegram last Saturday in behalf of this client requesting an executive session. I received no reply. I would like to have my telegram entered of record, if you will.

The CHAIRMAN. Yes. I am sure that you realize that it wasn't the case of being impolite or discourteous. But the telegram was delivered on Monday morning in Washington, I understand, and I was in Gary, Ind.; so I did not receive your telegram.

Mr. MEYERS. I would like to repeat my request, Your Honor.

The CHAIRMAN. That is all right.

Mr. MEYERS. May I have an answer to that request?

The CHAIRMAN. We will decide whether or not it is relevant or means anything.

Mr. MEYERS. Meanwhile, we may be going into a hearing.

The CHAIRMAN. We are going into a hearing right now.

Mr. MEYERS. Are you denying my request?

The CHAIRMAN. No. We are going to take under advisement your request and then the committee will pass on the question of whether or not it is relevant. Insofar as it will act as a means of stopping the testimony or the hearing it will not be used for that purpose or accepted for that purpose.

Mr. MEYERS. Unless the ruling is made now the telegram has no useful purpose, it would appear.

The CHAIRMAN. Go ahead. Ask the question, Mr. Tavenner.

Mr. TAVENNER. When and where were you born, Mr. Norrick?

Mr. NORRICK. Mr. Tavenner, would you clarify a few things for me before I answer any questions?

Mr. TAVENNER. If there is any question you do not understand about the purpose of the hearing I would be very glad to try to explain it, or the chairman would.

(The witness conferred with his counsel.)

Mr. TAVENNER. But I would say that before attempting to clarify any such thing there is basic information that I desire to have, such as the date and place of your birth.

Mr. NORRICK. Pike County, Ind.

Mr. TAVENNER. When?

Mr. NORRICK. July 18, 1899.

Mr. TAVENNER. Are you now a resident of Gary?

Mr. NORRICK. No.

Mr. TAVENNER. Where do you reside?

Mr. NORRICK. East Chicago.

Mr. TAVENNER. Where are you employed?

Mr. NORRICK. Youngstown Sheet and Tube.

Mr. TAVENNER. How long have you been employed at Youngstown Sheet and Tube?

Mr. NORRICK. Since March of 1946.

Mr. TAVENNER. Have you been employed there constantly since that time?

Mr. NORRICK. Yes, sir.

Mr. TAVENNER. Mr. Norrick, the committee has information indicating that you are in a position to be of assistance to it regarding the activities of the Communist Party at Youngstown, in the place of your employment. So will you tell the committee, please, what type of Communist activities are being engaged in there at this time?

(The witness conferred with his counsel.)

Mr. NORRICK. I would like to ask again if this committee will clarify a few things. In the first place, I am losing time, yesterday and today to be here, and I understand that the committee—the Congress pays us a very small sum for attending this hearing.

Mr. TAVENNER. Yes. Whether or not you answer questions you are paid your attendance fee.

Mr. NORRICK. How much?

Mr. TAVENNER. You will have to ask—

Mr. NORRICK. I tried to find out.

Mr. TAVENNER. You mean your testimony is going to be based upon the amount of payment that you receive as a witness?

(The witness conferred with his counsel.)

Mr. NORRICK. This matter of pay——

Mr. TAVENNER. We do not gage the payment of fees according to what a witness says on the witness stand. He is entitled by law to certain fees and those are paid whether he testifies or whether he does not.

Mr. NORRICK. I am not interested in that.

Mr. TAVENNER. Let's proceed to answer the question, then.

Mr. NORRICK. But I came here by subpoena.

The CHAIRMAN. That is right.

Mr. NORRICK. I had to come.

The CHAIRMAN. That is right.

Mr. NORRICK. And I had to lose the time and it is important to me. I don't want to lose any time.

Mr. TAVENNER. Will you answer the question?

Mr. NORRICK. Repeat it, please.

Mr. TAVENNER. Will you read him the question?

(Record read by the reporter.)

Mr. NORRICK. I want to confer with my counsel.

(The witness conferred with his counsel.)

Mr. NORRICK. Mr. Chairman, I refuse to answer that question at this time because I am not a lawyer and you fellows are old hands at this game.

Mr. TAVENNER. I didn't ask any legal question.

Mr. NORRICK. If you please——

Mr. TAVENNER. I didn't ask you for a legal opinion; I asked you for a pure factual statement.

Mr. NORRICK. Lots of things have happened out of this committee if what I read in the papers is true. A lot of people lost their jobs. A lot of people have been cited and prosecuted, and I have been reading some of the decisions of the Supreme Court on them that were prosecuted.

The CHAIRMAN. A lot of workers lost their lives, too, in Hungary as a result of this conspiracy that we are trying to find out about.

(The witness conferred with his counsel.)

Mr. NORRICK. I don't know anything about Hungary.

The CHAIRMAN. You read the papers. You said you read the papers. You can find out very easily all about Hungary.

(The witness conferred with his counsel.)

Mr. NORRICK. I decline on the first amendment and I don't think it is pertinent to this committee's investigation, and from reading the Watkins decision I don't think this committee—I think that they confirmed in this Supreme Court decision that I don't have sufficient time to consult on these questions. I think it is written in this decision, if I can read it, maybe I am wrong.

The CHAIRMAN. You need not bother. I know you are going to do that. But your lawyer did not hand you the decision that followed the Watkins decision.

Mr. NORRICK. My lawyer didn't give me this decision.

The CHAIRMAN. In the first place, let me read you what the law is now. This is the later pronouncement.

Mr. MEYERS. May I ask from what you are reading?

The CHAIRMAN. "In the first place, we believe that if the Court intended to strike down the resolution"—that is, the resolution creating this committee—"it would have said so in so many words."

So you are reading the wrong law there.

Mr. NORRICK. What decision are you reading from, sir?

The CHAIRMAN. What difference does it make? You are not a lawyer.

Mr. NORRICK. I know that. I know that.

The CHAIRMAN. I am reading what the law is. I am telling you what the law is.

Mr. NORRICK. You are reading a decision.

The CHAIRMAN. I am not charging you for it, either.

Mr. NORRICK. You might at the end.

The CHAIRMAN. Proceed, Mr. Tavenner.

Mr. NORRICK. From what court, sir?

The CHAIRMAN. Never mind. Go ahead, Mr. Tavenner.

Mr. TAVENNER. Mr. Norrick, you said you didn't believe the question I asked you was pertinent. You are not seriously contending that you do not see the pertinency of that question are you?

(The witness conferred with his counsel.)

Mr. NORRICK. Yes.

Mr. TAVENNER. Aren't you just parroting what you say you read in a decision of the Supreme Court without any relationship to the factual situation that exists here?

(The witness conferred with his counsel.)

Mr. NORRICK. I don't understand.

Mr. TAVENNER. Well, you have said you didn't understand the pertinency of the question, when the question on its face shows its pertinency, and I can't believe you are in good faith raising the question of pertinency.

(The witness conferred with his counsel.)

Mr. TAVENNER. If you are honest in it, I will explain it.

Mr. NORRICK. Please explain.

Mr. TAVENNER. This committee through its chairman has stated that the purpose of this hearing is to receive testimony regarding the techniques and tactics of the Communist Party in infiltration into basic industry in this area, of which Youngstown is a part, and that it will receive testimony regarding the extent, the objects, and the purpose of Communist Party propaganda in basic industry. That is what the subject of this inquiry is. Now, I ask you the question, as to what you know about Communist Party activities in this area, which is the exact subject of this—

(The witness conferred with his counsel.)

Mr. TAVENNER (continuing). Wait a minute—of this inquiry.

Mr. SCHIERER. I think counsel for the witness should let the witness at least listen to Mr. Tavenner's question before he tells him what to say. I have been watching counsel putting words into the witness' mouth.

Mr. MEYERS. You have been watching me but don't know what I said to him. I said to him "Let him finish the question," and I also told him he can then ask me for advice.

Mr. SCHIERER. All right.

Mr. TAVENNER. Now, the reasoning of the committee is this: That if you have information regarding the activities of the Communist Party, and we ask you to give it to us—that directly relates to this subject matter of this hearing—the two are practically the same thing.

The question that I asked you and the subject are virtually the same thing.

Mr. NORRICK. But you don't explain what you mean by infiltration.

Mr. TAVENNER. Is that your trouble?

(The witness conferred with his counsel.)

Mr. TAVENNER. Now, you say you don't understand what is meant by infiltration. Infiltration means that a member of the Communist Party desires to become employed in an industry and to impart in that industry the Communist Party program as he receives it and is directed.

(The witness conferred with his counsel.)

Mr. TAVENNER. Now my question, you recall, related to Communist Party activities in your particular group at Youngstown. Now I think I have explained fully enough the pertinency of the question. And I will ask the chairman, unless he thinks otherwise, to direct you to answer.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. NORRICK. I decline to answer that on the first amendment and I don't think it is pertinent to the committee's—I don't think the committee has power to ask me that question under the first amendment and—

(The witness conferred with his counsel.)

Mr. NORRICK (continuing). And the Committee on Un-American Activities, as a whole or the subcommittee, is authorized from time to time, to make investigations as to the extent, character, and objects of the un-American propaganda activities and so forth.

The CHAIRMAN. What are you reading from?

Mr. MEYERS. That is what we are asking.

Mr. NORRICK. The Supreme Court decision.

It would be difficult to imagine a less explicit authorizing resolution.

That is the Supreme Court, not me.

Who can define the meaning of "un-American"? What is that single, solitary, "principle of the government as guaranteed by our Constitution"?

There is no need to dwell upon the language, however. At one time, perhaps, the resolution might have been read narrowly to confine the committee to the subject of propaganda. The events that have transpired in the 15 years before the interrogation of petitioner make such a construction impossible at this date.

I think I am within my rights.

The CHAIRMAN. That is the Watkins decision?

Mr. NORRICK. Yes, sir.

The CHAIRMAN. This is a decision that is dicta. You ought to know what I mean by that.

Mr. NORRICK. No.

The CHAIRMAN. Go ahead.

Mr. NORRICK. I don't understand what you mean.

The CHAIRMAN. You are telling me, a lawyer, what the law is?

Mr. NORRICK. No. Far from it.

(The witness conferred with his counsel.)

Mr. NORRICK. I am just trying to keep from getting cited for perjury, from some of these paid witnesses. You might get a witness to say anything.

The CHAIRMAN. That is neither the policy of this committee nor the practice of this committee, nor of any Government agency.

Go ahead, Mr. Tavenner.

Mr. TAVENNER. Are you a member of the Communist Party at this time?

Mr. NORRICK. I refuse to answer for the reasons already given.

Mr. TAVENNER. Haven't you been in the leadership of the Communist Party for a number of years in the Youngstown plant?

Mr. NORRICK. I refuse to answer for the reasons already given.

The CHAIRMAN. You are directed to answer that question.

Mr. NORRICK. I refuse for the reasons given.

Mr. TAVENNER. Are you familiar with the practice of the Communist Party in bringing in young men from eastern colleges who have received excellent educational training and who are very bright young men to take menial positions in labor with a view of building themselves up from the grassroots, so to speak, to become labor union leaders under the influence of the Communist Party?

(The witness conferred with his counsel.)

Mr. NORRICK. I refuse to answer for the reasons already given.

Mr. TAVENNER. Are you acquainted with Edward Yellin?

(The witness conferred with his counsel.)

Mr. NORRICK. I refuse to answer that question for the reasons already given. It is broad and far reaching. You might ask me to name a lot of them in the county. I have been here a long time. I don't want to name a lot of them. I can't name a lot of them.

Mr. TAVENNER. Well, can you name him? I am not asking you about a lot of people.

(The witness conferred with his counsel.)

Mr. NORRICK. I refuse for the reasons I have already given you, sir.

Mr. TAVENNER. Do you know Robert Kates?

Mr. NORRICK. Same answer.

Mr. TAVENNER. Do you know Robert Lehrer?

(The witness conferred with his counsel.)

Mr. NORRICK. Same answer.

Mr. TAVENNER. Do you know Al Samter?

Mr. NORRICK. Same answer.

Mr. SCHERER. The fact is, Witness, that all of these people that counsel just named are engaged with you presently in promoting Communist Party propaganda and activities within steel, is that not a fact?

(The witness conferred with his counsel.)

Mr. NORRICK. I refuse to answer on the same grounds I answered before.

Mr. TAVENNER. Are you acquainted with Katherine Hyndman?

Mr. NORRICK. I refuse on the same grounds that I stated before.

Mr. TAVENNER. Who is the head of the Communist Party at this time in Gary?

(The witness conferred with his counsel.)

Mr. NORRICK. I decline to answer on the same grounds as stated before.

Mr. TAVENNER. Is the Communist Party at this time endeavoring to reorganize and strengthen its activities within basic industry?

(The witness conferred with his counsel.)

Mr. NORRICK. I will have to refuse to answer for the reasons already given.

The CHAIRMAN. You do not have to. You are not under any compulsion. Do you refuse to answer?

(The witness conferred with his counsel.)

The CHAIRMAN. I direct an answer to that question.

Mr. NORRICK. I don't think that the committee has the power to inquire into that for the reasons I have given.

The CHAIRMAN. Do you feel honestly that this committee has no power to inquire into the question of whether or not the Communists are attempting to take over the labor unions in the steel industry? Do you honestly feel that?

(The witness conferred with his counsel.)

Mr. NORRICK. Well, I think that is what the Supreme Court says. I think that is what the Constitution says. So I feel that I have them rights.

The CHAIRMAN. You better stick to your last ones.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. All right. Call your next witness.

Mr. TAVENNER. Mr. Victor Malis.

The CHAIRMAN. Raise your right hand, please.

Do you swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God.

Mr. MALIS. I do.

TESTIMONY OF VICTOR MALIS, ACCOMPANIED BY COUNSEL, IRVING MEYERS

Mr. TAVENNER. Will you state your name, please?

Mr. MALIS. Victor Malis.

Mr. TAVENNER. Will counsel identify himself for the record, please.

Mr. MEYERS. My name is Irving Meyers. I am from Chicago.

At this time I would like to call to the committee's attention that I sent a telegram on Saturday last requesting that an executive session be held in lieu of this open session in reference to this witness and others. And I would like to have that. I repeat the request. I would like to have it rendered of record and I would like to have an answer to my request.

The CHAIRMAN. In view of the fact that the telegram has never been received by the chairman of this committee, it was delivered in Washington while the chairman was in Gary, Ind., and because no opportunity has been had to study it to determine whether or not it was sent in good faith, the request to delay or defer hearing this witness is denied.

Mr. MEYERS. I didn't ask to defer it or delay. I merely asked for an executive session and you had the telegram in your hands yesterday, a copy of it, which I presented in another matter.

The CHAIRMAN. A copy, yes.

Mr. MEYERS. Yes, and I sent it on Saturday.

The CHAIRMAN. I said the telegram will be considered. Go ahead, Mr. TAVENNER.

Mr. TAVENNER. When and where were you born, Mr. Malis?

Mr. MALIS. Gary, Ind.

Mr. TAVENNER. What is the date of your birth?

Mr. MALIS. October 30, 1912.

Mr. TAVENNER. What is the nature of your employment?

Mr. MALIS. Steel worker.

Mr. TAVENNER. How long have you been a steel worker?

Mr. MALIS. Well, all of my adult life.

Mr. TAVENNER. Did you serve in the Armed Forces of the United States?

(The witness conferred with his counsel.)

The CHAIRMAN. You are directed to answer that question.

Mr. MEYERS. What was that question?

Mr. MALIS. Repeat that question.

The CHAIRMAN. If you would pay some attention to us you would know what this is all about, Mr. Malis.

Mr. TAVENNER. My question was whether or not you served in the Armed Forces of the United States.

Mr. MALIS. Yes, I did.

Mr. TAVENNER. Over what period of time?

Mr. MALIS. From April 1941 to October 1945.

Mr. TAVENNER. So with the exception of the period you were in the armed services you have been an employee in steel at least from 1940 until the present time, haven't you?

(The witness conferred with his counsel.)

Mr. MALIS. By far the biggest part.

Mr. TAVENNER. Was there some part of that time when you were employed elsewhere?

(The witness conferred with his counsel.)

Mr. MALIS. Yes. I worked somewhere else.

Mr. TAVENNER. When and where was that?

(The witness conferred with his counsel.)

Mr. MALIS. I am not too sure—3 or 4 months in the year of 1950.

Mr. TAVENNER. Where did you work during that period?

(The witness conferred with his counsel.)

Mr. MALIS. I don't think it is pertinent to this committee and I am going to exercise my right under the first amendment. I don't think this committee has got any right to infringe on my thinking and my political beliefs.

The CHAIRMAN. We are not asking you about your political beliefs at all. Are you anticipating a question when you say that?

(The witness conferred with his counsel.)

The CHAIRMAN. We are merely asking where you were employed, not whether or not you were a Communist.

Mr. MALIS. I refuse to tell you that because I don't think it is within your power to ask me that.

Mr. SCHERER. I ask you to direct the witness to answer the question.

The CHAIRMAN. You are directed to answer the question—where you were employed.

Mr. MALIS. Pardon?

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with counsel.)

Mr. MALIS. Well, for 3 or 4 months in 1950 I did not work in the steel industry, and I just refuse to answer the question.

The CHAIRMAN. Were you an employee then of the Communist Party? Is that why you refuse to answer?

(The witness conferred with his counsel.)

Mr. MALIS. I worked in a restaurant. After that I am using my first amendment.

Mr. SCHERER. What is that?

Mr. MALIS. First amendment rights.

Mr. TAVENNER. I think, Mr. Chairman, we better swear in counsel.

Mr. SCHERER. I am beginning to think so, too.

Mr. MEYERS. I must tell you I represent a steel worker who is not too literate. He certainly knows nothing of the law. He certainly doesn't understand your purposes because the Supreme Court doesn't quite understand it.

Mr. TAVENNER. He is the one that knows the facts, though.

Mr. MEYERS. He doesn't understand your questions.

The CHAIRMAN. We are not asking him any legal questions. We are asking him questions of fact.

Mr. MEYERS. But your questions may carry legal implications.

The CHAIRMAN. Well, have you read the rules of this committee?

Mr. MEYERS. I have.

The CHAIRMAN. I wish you would observe them.

Mr. MEYERS. I intend to and try to.

The CHAIRMAN. Don't interrupt, Counsel. Don't prevent the witness from listening to the questions that are being propounded and don't put the answers in his mouth.

Mr. MEYERS. Will you ask my witness if I am doing that?

The CHAIRMAN. I do not have to. I can see you telling him. I am not entirely blind.

Mr. MEYERS. I am sorry. You are misinterpreting what occurs.

The CHAIRMAN. Go ahead, Mr. Tavenner.

Mr. TAVENNER. You state, then, that you worked in a restaurant during those 3 or 4 months in 1950, is that what I understood you to say?

Mr. MALIS. Yes, I did.

Mr. TAVENNER. Where was that restaurant located?

(The witness conferred with his counsel.)

Mr. MALIS. I refuse to answer that under the first amendment.

Mr. TAVENNER. Whose restaurant was that?

(The witness conferred with his counsel.)

Mr. MALIS. I refuse to answer.

Mr. TAVENNER. Why?

(The witness conferred with his counsel.)

Mr. MALIS. I just refuse to answer under the first amendment.

Mr. SCHERER. I ask you to direct the witness.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. TAVENNER. Did you give up fourteen years of seniority in your labor union in order to take that three months job?

(The witness conferred with his counsel.)

Mr. MALIS. I think under the first amendment this committee isn't empowered to ask me that question. Therefore, I use the first amendment.

The CHAIRMAN. Wait a minute. You are directed to answer that question. And may I say to you under the law if you assume something improperly then you must answer the consequences. I direct you to answer this last question.

(The witness conferred with his counsel.)

Mr. MALIS. I repeat that I don't think that this committee has a right to ask me that type of question, and I would also like to state that from time to time I would like to confer with my attorney here because I——

The CHAIRMAN. We have no objection to that.

Mr. MALIS. I can't face a bunch of smart men like you.

The CHAIRMAN. Before you have a chance to confer with him he leans over and tells you what to say.

Mr. MALIS. I am for it.

The CHAIRMAN. Of course you are. I can understand that.

Mr. SCHERER. Mr. Chairman, I think the record should reflect that on practically every question that has been asked this witness there has been a lengthy conference between him and his counsel before he has answered.

Mr. MEYERS. I would dispute the length of your reference. It is true that we confer frequently but I have a person unlettered in law.

The CHAIRMAN. I could understand how important it would be to get legal advice for the question where you were employed for a few months. I can understand that.

Go ahead, Mr. Tavenner. Ask the next question.

Mr. TAVENNER. Did the Communist Party meet in its meetings at the location of this restaurant which you operated for a period of 3 months?

(The witness conferred with his counsel.)

Mr. MALIS. I decline on the first amendment.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. MALIS. I decline for all the reasons I have stated.

Mr. TAVENNER. Were you induced by the Communist Party to undertake the management of that restaurant so that it would have a place to meet?

(The witness conferred with his counsel.)

Mr. MALIS. I refuse for the same reason as given before.

Mr. TAVENNER. Was the Communist Party at that particular time, 1950, having difficulty in maintaining a place where it could meet in secrecy?

(The witness conferred with his counsel.)

Mr. MALIS. Same answer as before.

Mr. TAVENNER. For what reason did you terminate your employment, or for what reason was your employment terminated at that restaurant?

(The witness conferred with his counsel.)

Mr. MALIS. Same answer.

Mr. TAVENNER. Was the name of the restaurant at which you worked the Gary Cooperative Restaurant at 1428 Broadway, Gary, Ind.?

Mr. MALIS. Same answer on that.

The CHAIRMAN. You are directed to answer the question.

Mr. MALIS. I have to repeat I am using the same answer.

The CHAIRMAN. All right.

Mr. TAVENNER. Will you tell the committee, please, what means are being used by the Communist Party at this time, that is, right now, to strengthen its hold in labor unions in Gary?

(The witness conferred with his counsel.)

Mr. MALIS. I refuse to answer that question for the same reasons I have stated before.

Mr. TAVENNER. Could I have a direction?

The CHAIRMAN. You are directed to answer the question.

Mr. MALIS. I still refuse.

Mr. TAVENNER. Are you at this time an active leader in the Communist Party in Gary, Ind.?

(The witness conferred with his counsel.)

Mr. MALIS. Same answer.

Mr. TAVENNER. Could I have a direction?

The CHAIRMAN. You are directed to answer the question, Mr. Malis.

Mr. MALIS. Just a minute.

(The witness conferred with his counsel.)

Mr. MALIS. I refuse to answer that, using the first amendment and the other reasons I have stated.

Mr. SCHIERER. Did the other reasons include the use of the fifth amendment?

(The witness conferred with his counsel.)

Mr. MALIS. Well, I would like to have someone clarify the fifth amendment. I really don't know too much about the fifth amendment.

Mr. SCHIERER. You have a lawyer to clarify the fifth amendment. He has been clarifying everything else.

(The witness conferred with his counsel.)

Mr. MEYERS. You objected to my attempts before.

Mr. SCHIERER. No; just on telling him what to say on factual questions, Counsel.

(The witness conferred with his counsel.)

Mr. MEYERS. There is a due process in the first amendment that he doesn't understand, but he doesn't waive that, but if you are talking about the—

The CHAIRMAN. That due process clause is in the fifth amendment.

Mr. MEYERS. In the fifth, I mean.

The CHAIRMAN. You said the first.

Mr. MEYERS. I meant the fifth. So he doesn't waive that.

The CHAIRMAN. All right.

Mr. MEYERS. Nor does he waive the section which says that every man shall be protected as to his life, liberty, or property. Nor does he waive some other section, if you please, but he certainly is not asserting his privilege against self-incrimination if that is what you mean.

Is that right?

Mr. MALIS. That is correct.

The CHAIRMAN. This is not as funny as you think it is.

Mr. MALIS. I just laughed because they made me laugh. They laughed back there. I know it is not funny.

The CHAIRMAN. In a few weeks the Congress will be called upon to appropriate huge sums of money in another phase of this cold war. I say another phase advisedly. Why don't you help us in the phase that we are responsible for combating?

(The witness conferred with his counsel.)

The CHAIRMAN. I withdraw that. Go ahead and ask a question, Mr. Counsel.

Mr. TAVENNER. What is the strength of the Communist Party membership, or in other words, what is the size of the membership of the Communist Party in your union now?

(The witness conferred with his counsel.)

Mr. MALIS. I decline to answer that question.

Mr. TAVENNER. May I have a direction?

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. MALIS. I decline for all the reasons I have given.

Mr. TAVENNER. One of those reasons was that of pertinency and here I think I will explain a little something, in addition to what has already been said, and that is that this committee has for consideration a House resolution which provides for the amendment of the Communist Control Act of 1954, placing a penalty under section 4 of that act to remain a member of the Communist Party with knowledge of its purposes.

Now, it is important to this committee and the Congress to obtain the information which it is now asking in order that it may properly consider that bill. That is an additional reason to those already assigned.

May I ask that the witness be directed to answer, Mr. Chairman?

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. MALIS. Well, I didn't attend the opening session yesterday and I wasn't here and I don't understand it. I would like to have it explained to me.

The CHAIRMAN. What would you like to have explained to you?

(The witness conferred with his counsel.)

Mr. MALIS. The purpose of the questioning me. The purpose of this committee.

Mr. TAVENNER. Have you read the opening statement that the chairman made or had it read to you?

(The witness conferred with his counsel.)

Mr. MALIS. No, I haven't.

Mr. SCHIERER. Counsel was derelict in his duty, then.

Mr. TAVENNER. Yes.

Has your counsel explained it to you?

Mr. MALIS. No, he hasn't.

Mr. TAVENNER. All right. I hand it to you now.

(Statement handed to witness.)

Mr. MEYERS. This is the first time counsel has seen it.

Mr. TAVENNER. We will let you examine it.

Mr. MEYERS. Have you seen it before?

Mr. SCHIERER. It is an indication to me, counsel, that since you are representing witnesses before this committee that you would have gotten one of those copies.

The CHAIRMAN. It was read yesterday.

Mr. MEYERS. It may have been read yesterday but this is the first time I have seen it and my witness was not here when it was read. Now I will turn it over to him to read.

The CHAIRMAN. You heard it read, didn't you?

Mr. MEYERS. I heard it read but he didn't, and I will explain it.

The CHAIRMAN. Then you are in a position to advise him.

Mr. TAVENNER. Let him read it over the lunch hour and then call him back.

The CHAIRMAN. We will adjourn now and over the lunch hour you can read it and you will be back after lunch having read it and being advised fully.

Mr. MEYERS. I will ask my client to read it over lunch time.

(Whereupon, at 1:03 p. m., the subcommittee recessed, to reconvene at 2 p. m. the same day.)

AFTERNOON SESSION—TUESDAY, FEBRUARY 11, 1958

(Members present at the convening of the session were Congressmen Walter and Scherer.)

The CHAIRMAN. The committee will be in order.

May I again admonish you not to smoke.

Mr. Malis will resume the stand, please.

TESTIMONY OF VICTOR MALIS, ACCOMPANIED BY COUNSEL, IRVING MEYERS—Resumed

Mr. TAVENNER. Mr. Malis, you were directed to answer a question at which time you answered that you were not present during the making of the opening statement and you desired to see it.

We made it available for you during the noon recess. Have you read the statement, the chairman's opening statement?

Mr. MALIS. Yes, I read it and certain things are very vague to me here. I underlined it. I can't understand it and I asked my attorney—

Mr. SCHERER. He can't understand it?

Mr. MALIS. He doesn't seem to understand it, either.

Shall I read it to you?

The CHAIRMAN. Don't bother to read it. I wrote it.

Mr. TAVENNER. You have read the statement of the chairman and you have studied it and you conferred with your counsel about it?

Mr. MALIS. Yes, sir.

Mr. TAVENNER. Is there any question now in your mind as to the pertinency of the question that was asked of you?

(The witness conferred with his counsel.)

Mr. MEYERS. What question was that, Mr. Tavenner?

Mr. TAVENNER. The question which he refused to answer, and I believe I will ask the reporter to read it back to the witness:

(The record was read as follows:

("What is the strength of the Communist Party membership, or, in other words, what is the size of the membership of the Communist Party in your union now?")

(The witness conferred with his counsel.)

Mr. MALIS. I refuse to answer that for the reasons I have given before.

The CHAIRMAN. I think in view of the fact that you had so much time to reflect over the question and to read the purposes that I will have to direct you to answer that question.

(The witness conferred with his counsel.)

Mr. MALIS. I am sorry, Mr. Chairman, but I will have to refuse again.

The CHAIRMAN. You do not have to. You are not under any compulsion.

Mr. MALIS. Well, I will refuse.

The CHAIRMAN. You refuse. All right.

Mr. TAVENNER. Will you tell the committee, please, whether to your knowledge young men have been brought in by the Communist Party to the Gary, Ind., area and placed in work in labor unions since 1949?

(The witness conferred with his counsel.)

Mr. MALIS. Well, the answer is the same as before. I refuse to answer it.

Mr. TAVENNER. Are you acquainted with Edward Yellin?

Mr. MALIS. I refuse to answer it.

Mr. TAVENNER. Are you acquainted with Robert Kates?

Mr. MALIS. Same answer.

Mr. TAVENNER. Are you acquainted with Robert Lehrer?

Mr. MALIS. Refuse to answer.

Mr. TAVENNER. Are you acquainted with Al Samter?

Mr. MALIS. Refuse to answer.

Mr. TAVENNER. Do you know whether or not Katherine Hyndman, who was ordered deported in 1953, is now actively engaged in Communist Party organizational work in Gary, Ind.?

(The witness conferred with his counsel.)

Mr. MALIS. I refuse to answer that under the first amendment.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. TAVENNER. Mr. Chris Malis.

The CHAIRMAN. Will you raise your right hand?

Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MALIS. I do.

TESTIMONY OF CHRIS MALIS, ACCOMPANIED BY COUNSEL, IRVING MEYERS

Mr. TAVENNER. Will you state your name, please?

Mr. MALIS. My name is Chris Malis.

Mr. TAVENNER. Are you also known as Cash Malis?

Mr. MALIS. Yes, I have had that nickname for some years.

Mr. TAVENNER. It is noted that you are accompanied by the same counsel who accompanied the previous witness.

Mr. MEYERS. My name is Irving Meyers. I am of Chicago, Ill., and at this moment I should like to call your attention to the fact that I sent a telegram last Saturday requesting an executive hearing and a copy of which telegram I gave to the chairman yesterday. On behalf of this witness I request such an executive hearing.

The CHAIRMAN. Despite the fact that I think you sent the telegram after business hours so that I would not get it, I am going to grant your request, so the witness is excused.

Mr. TAVENNER. And we will fix an executive session for him.

The CHAIRMAN. And will not waste the time of the committee here.

You are still under the subpoena. We will let you know when the executive session will be held so you be here when we adjourn and we can tell you.

You will know where he is?

Mr. MEYERS. Will you send me a notice, as well?

The CHAIRMAN. You will be here, won't you?

Mr. MEYERS. I will be here all day.

The CHAIRMAN. That is fine. We will oblige you.

Mr. MALIS. Mr. Chairman, I am scheduled to go to work this evening. I don't know how long you figure to have me here. If it is going to last long I must notify the plant that I work for.

The CHAIRMAN. I don't know. Your lawyer has requested that you be given an executive hearing and we granted his request. If you are disappointed that we did, I can't help it.

Mr. TAVENNER. If there is time we will arrange to do it this afternoon.

The CHAIRMAN. Call your next witness.

Mr. TAVENNER. Mr. Walter Malis.

The CHAIRMAN. Will you raise your right hand, Mr. Malis?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MALIS. I do.

TESTIMONY OF WALTER MALIS, ACCOMPANIED BY COUNSEL, IRVING MEYERS

Mr. TAVENNER. Will you state your name, please, sir?

Mr. MALIS. My name is Walter Malis.

Mr. TAVENNER. Are you also known by the name of Sy?

Mr. MALIS. Yes, sir.

Mr. TAVENNER. It is noted that you are accompanied by the same counsel.

Mr. MEYERS. My name is Irving Meyers. I am from Chicago. I would like to call this committee's attention to the fact that on Saturday last I sent a telegram requesting that in lieu of this hearing a hearing be held in executive hearing and I would like to have a response to my request.

The CHAIRMAN. The response is that we will be very glad to hear your client in executive session. So if you will just step aside, we will let you know when we can hear him.

Call your next witness.

Mr. TAVENNER. Mr. Willard Malis.

The CHAIRMAN. Raise your right hand, please.

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MALIS. I do.

The CHAIRMAN. Sit down, please.

TESTIMONY OF WILLARD MALIS, ACCOMPANIED BY COUNSEL, JUSTIN WAITKUS

Mr. TAVENNER. What is your name, please, sir?

Mr. MALIS. Willard Malis.

Mr. TAVENNER. Do you have a nickname, "Sully"?

Mr. MALIS. That is right.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. WAITKUS. My name is Justin Waitkus, 569 Broadway, Gary, Ind.

Mr. TAVENNER. When and where were you born, Mr. Malis?

Mr. MALIS. Born in Gary, Ind., on March 28, 1916.

Mr. TAVENNER. You now reside in Gary?

Mr. MALIS. All of my life.

Mr. TAVENNER. How are you presently employed?

Mr. MALIS. I am presently employed as a loader in the 40-inch blooming mill in Gary works of the U. S. Steel Corp.

Mr. TAVENNER. How long have you been so employed?

Mr. MALIS. Since May of 1936.

Mr. TAVENNER. Will you state what your formal educational training has been?

Mr. MALIS. Normal grade school education and graduate of high school.

Mr. TAVENNER. Mr. Malis, have you at any time been affiliated with the Communist Party in Gary, Ind?

Mr. MALIS. Well, you might say remotely. I have belonged to certain—what is now called—front organizations. But as far as I know I never signed an application blank to join the party or never attended closed meetings and never considered myself under Communist Party discipline.

Mr. TAVENNER. You say you were a member of certain front organizations?

Mr. MALIS. That is right. What I know now to be listed as front—or, I don't know. You know the term. I don't know.

Mr. TAVENNER. Those were organizations in which the Communists had either taken over control or had infiltrated.

Mr. MALIS. Something on that nature.

Mr. TAVENNER. What were those organizations to which you refer?

Mr. MALIS. Well, one was a fraternal organization called the IWO, which paid insurance and like your other fraternal organizations. The other was a Lithuanian fraternal organization.

Mr. TAVENNER. What was its name?

Mr. MALIS. The initials were LDS, which mean something in the Lithuanian language. My mother enrolled me for the insurance benefits.

Mr. TAVENNER. Mr. Lautner, who was the first witness during this hearing, explained to the committee how on a national level the work of the Communist Party was planned to use the IWO in Communist Party activities. Will you tell us whether or not any member of the Communist Party was instrumental in having you join the IWO?

Mr. MALIS. No. Like I said, my mother enrolled me in this and she was the one was instrumental in entering me in there.

Mr. TAVENNER. How long did you remain a member of the IWO?

Mr. MALIS. Well, to the best of my knowledge, approximately 1939 or 1940.

Mr. TAVENNER. I am not certain that I understood just what you meant by being a member of front organizations. Were any of these organizations in which you were a member engaged in Communist Party activities within the steel unions?

Mr. MALIS. My honest answer to that is that I never saw any such activity. It might have been there and I didn't see it. I don't know.

Mr. TAVENNER. Is Victor Malis a brother of yours?

Mr. MALIS. That is right.

Mr. TAVENNER. Do you know of his employment at the restaurant which he testified about, the cooperative restaurant?

Mr. MALIS. I heard that he left his employment to go to work in a restaurant, yes.

Mr. TAVENNER. Do you know the circumstances under which he was induced to leave that employment?

Mr. MALIS. Absolutely not. I have heard all kinds of rumors and all I could say is I would be quoting a rumor if I told you I knew.

Mr. TAVENNER. You were not closely enough identified with the matter to have personal knowledge of your own?

Mr. MALIS. That is true.

Mr. TAVENNER. Did you at any time attend Communist Party meetings?

Mr. MALIS. Not to my knowledge.

Mr. TAVENNER. By that do you mean to indicate you attended meetings as to which there is some question in your mind whether or not they were Communist Party meetings?

Mr. MALIS. Yes. As I stated before, I was in these other organizations and I wouldn't be able to tell you if you would consider this a Communist organization or a front or what you would call it, but I do say that I don't recall of ever signing an application card into the party or attending a meeting, a closed meeting, other than I may have attended a mass meeting sponsored by the party.

Mr. TAVENNER. What was the address of the restaurant which we referred to a moment ago of which your brother was a manager?

Mr. MALIS. I don't know the address, but I know it is a couple of doors north of 13th and Broadway.

Mr. TAVENNER. Did you attend meetings at that place?

Mr. MALIS. Absolutely not.

Mr. TAVENNER. From your statement you are not now a member of the Communist Party?

Mr. MALIS. I am not.

And I would like to say there is a statement here in the paper which you aren't responsible for, but the misconception is there. LaFleur's testimony was given that so and so and so, and my name is listed. It said all of them, LaFleur testified, were members of the Communist Party when he was forced out of the ranks in 1952. Now, that I want clarified. That is absolutely a falsehood.

Mr. TAVENNER. Were you a member of the Communist Party at any time between 1940 and 1952?

Mr. MALIS. As I said before, I don't ever recall joining the Communist Party and if I never joined I don't see how I could ever got out. You understand what I am saying?

Mr. TAVENNER. Yes. Did you meet with others and discuss Communist Party matters at any time during the period from 1940 to 1952?

Mr. MALIS. I am glad you asked that. And I can categorically state I never engaged in any sort of meeting of such a nature and I never would consider it, and I want that clear for the press and everyone to know, because the subpoena that I was served with has blackened my name no end and I want that made clear.

Mr. TAVENNER. Well, you deny, then, ever having had any connection with the Communist Party, either by way of membership or taking part in Communist Party meetings.

Mr. MALIS. I will stand by that.

Mr. TAVENNER. Do you have any knowledge of the holding of Communist Party meetings?

Mr. MALIS. No, I don't.

Mr. TAVENNER. Were you invited to a Communist Party meeting?

Mr. MALIS. I made myself clear to anyone who would listen to me that I was not interested in joining the party, participating in any activities it advocated. I don't know how to put it, but that is the general idea.

Mr. TAVENNER. Why was it that you refused to become a member of the Communist Party when your membership was sought?

Mr. MALIS. Well, as funny as it may seem with the other witnesses that you have questioned, when I got employment—

Mr. SCHERER. Pardon me. When you say "other witnesses you questioned" are you referring to your brothers who just testified?

Mr. MALIS. I think the inference is there. The assumption seemed to be in the public mind, in the press' mind, "Here is five solid brothers that are the nucleus of this organization," and I want to put the record straight that it is not so.

Mr. SCHERER. You mean that your brothers are not Communists?

Mr. MALIS. I am not saying that.

Mr. SCHERER. I thought that is what you said.

Mr. MALIS. I am not saying what anyone else is. I am speaking for myself.

Mr. SCHERER. I want it clear, when you were referring to other witnesses, whether you were referring to all the other witnesses called by this committee or your brothers.

Mr. MALIS. No, I was more or less referring to my brothers. It seems to me to be a conspiracy to say, "Here is five brothers that are the center of this whole conspiracy," which is what is in the minds of the public, you might say.

Mr. TAVENNER. No, I don't think we would go that far.

Mr. MALIS. The press seems to.

Mr. TAVENNER. But we are very anxious to know the part that Katherine Hyndman is now playing in the reestablishment of the Communist Party in this area.

Mr. MALIS. I can say I don't know Katherine Hyndman and all I know of her is what I read in the papers.

Mr. SCHIERER. You say the only way you know Katherine Hyndman is what you read in the papers?

Mr. MALIS. That is right. What I read in the papers about her.

Mr. SCHIERER. You don't know her otherwise?

Mr. MALIS. Absolutely not. I know her face. I seen her face enough. I seen her walking up and down the streets. There has been enough publicity about her that anyone would recognize her.

Mr. TAVENNER. I am interested to know why it is you refused to become a member of the Communist Party when your membership was sought.

Mr. MALIS. Well, I don't know that it was sought. Early in my life, in my adult life, you might say, when I left the teens, I had my mind clear that the American system was the thing for me, and it was better illustrated when I thought I would never get employment in the steel industry because of associations from way back, and when I was hired it was a day I will never forget. It was a day I never expected to see. I got employment in there. I worked for 4 years and got married, raised a family, started to accumulate an estate, or whatever you might call it. I started to establish myself and you just can't beat that.

Mr. SCHIERER. Why did you say, Witness, that because of associations way back you thought you would never get a job?

Mr. MALIS. Well, I think—

Mr. SCHIERER. What did you mean by that?

Mr. MALIS. I think you are now familiar enough with the name to know there was a certain stigma attached to that name.

Mr. SCHIERER. Oh, I see.

Mr. MALIS. And it carried way back to the depression days.

Mr. SCHIERER. Were you the youngest of the Malises?

Mr. MALIS. I am next to the youngest.

Mr. TAVENNER. Well, I believe, Mr. Malis, if there is no information you can give us about the activities of the Communist Party or activities in the last five or more years, in this area—

Mr. MALIS. You are right.

Mr. TAVENNER. There is nothing else that I would care to ask you.

Mr. MALIS. I would ask the press to treat me fairly in the press and I think I got enough bad publicity out of this whole deal that the press owes me an apology, listing my name amongst people engaged in subversion and without a clear statement that I am not engaged.

I think I still remain under that cloud. I think the press owes me that.

The CHAIRMAN. I think the statement you made about our system certainly speaks for itself. With all its imperfections it is the best in the world, the best that has ever been devised.

If there are no further questions, the witness is excused.

Mr. MALIS. Thank you.

The CHAIRMAN. Thank you.

Mr. MALIS. Thank you. I am very well treated here. I almost had a heart attack.

The CHAIRMAN. Were you surprised? Were you surprised that you were treated fairly?

Mr. MALIS. Yes. You bet I was.

The CHAIRMAN. You know there has been a drive all over the United States to create the impression that this committee does not treat wit-

nesses fairly and the technique is always the same. It does not make any difference who is chairman of this committee, the moment he becomes chairman, that moment there is a question of even the legitimacy of his birth and that carries on so long as he is chairman of the committee. That is a well-known tactic in order to try to discredit, first, the chairman, then the committee, and in that way the work of the Congress.

Now, it might be interesting to you, and speaking to a good American as I am—

Mr. MALIS. That is true.

The CHAIRMAN. To know that when this committee was created, there were 42 Members who voted against it and I was one of them. I now find myself chairman of the committee that I voted against creating.

But more significant is the fact that every single time the Congress of the United States has passed on the appropriations for our committee it has either done it by a unanimous vote—last year there was one vote against it and this year two votes against. The membership know their colleagues. They know we would not be unfair to anybody.

Mr. MALIS. Thank you very much, sir.

The CHAIRMAN. Thank you, Mr. Malis.

Call your next witness.

Mr. TAVENNER. Mr. Joseph Gyurko.

The CHAIRMAN. Raise your right hand, please.

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GYURKO. I do.

TESTIMONY OF JOSEPH GYURKO, JR., ACCOMPANIED BY COUNSEL, IRVING MEYERS

Mr. TAVENNER. Will you state your name, please, sir?

Mr. GYURKO. Joseph Gyurko, Jr.

Mr. TAVENNER. Will you spell your last name?

Mr. GYURKO. G-y-u-r-k-o.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. MEYERS. My name is Irving Meyers. I am a lawyer from Chicago, Ill., and I would like to call the committee's attention to the fact that on Saturday last, I sent a telegram to the chairman asking that if the hearing should be held it should be an executive hearing in place of an open hearing, and I repeat the request this morning.

The CHAIRMAN. At what time was that telegram sent, do you know?

Mr. MEYERS. I don't recall. I sent the girl out of the office around noontime Saturday. She went over, I think, to the Sherman Hotel in Chicago, mailed it to the only address we knew you to be at, Washington, and I gave you a copy of that very telegram yesterday in this hearing.

The CHAIRMAN. Of course, I am entitled to my own opinion. I think you waited until after business hours to send it.

Mr. MEYERS. That is not so, but you are entitled to a misconception if you wish.

The CHAIRMAN. I don't care what you think about it. That is what I think you would do and did do it.

We are going to allow your request, and we will go into an executive session now.

In closing the public hearings, I want to express the appreciation of the committee to the officials here, particularly the custodian of this building, Frank O'Bara; Chief of Police, John Foley; the United States marshals; and others who have been of assistance to us.

This is not an easy job. It is distasteful to all of us. There are other things that we would much rather do than sit here and be compelled to listen to the things that the witnesses say.

The committee is adjourned. We will then go into executive session.

(Whereupon, at 2:27 p. m., Tuesday, February 11, 1958, the subcommittee recessed to reconvene in executive session the same day.)

**INVESTIGATION OF COMMUNIST INFILTRATION AND
PROPAGANDA ACTIVITIES IN BASIC INDUSTRY**
(Gary, Ind., Area)

TUESDAY, FEBRUARY 11, 1957

**UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
*Gary, Ind.***

EXECUTIVE SESSION ¹

The subcommittee of the Committee on Un-American Activities met, pursuant to call, at 2:40 p. m., in the council chamber, Municipal Building, Gary, Ind., Hon. Francis E. Walter (chairman) presiding. Committee members present: Representatives Francis E. Walter of Pennsylvania, and Gordon H. Scherer of Ohio.

Staff members present: Frank S. Tavenner, Jr., counsel, and Raymond T. Collins, investigator.

The CHAIRMAN. Let the record show that an executive session for the purpose of hearing sundry witnesses subpoenaed for the public sessions has been convened.

Mr. TAVENNER. I think you better swear in the witness again.

The CHAIRMAN. Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GYURKO. I do.

**TESTIMONY OF JOSEPH GYURKO, JR., ACCOMPANIED BY COUNSEL,
IRVING MEYERS**

Mr. TAVENNER. What is your name, please, sir?

Mr. MEYERS. Chairman, I am going to object to the presence of two persons seated in the audience, who I don't believe to be members of the committee or members of your staff.

The CHAIRMAN. The objection will be noted on the record.

Mr. MEYERS. May I ask that they be identified?

The CHAIRMAN. Sir?

Mr. MEYERS. I ask that they be identified.

The CHAIRMAN. These are men connected with the Department of Justice.

Mr. MEYERS. This is not a committee of the Department of Justice.

The CHAIRMAN. I understand that. Go ahead, Mr. Tavenner.

Mr. TAVENNER. State your name, please.

Mr. GYURKO. Joseph Gyurko, Jr.

¹ Released by the committee and ordered to be printed.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself?

Mr. MEYERS. My name is Irving Meyers, Chicago, Ill.

Mr. TAVENNER. Mr. Gyurko, you were called in open session before the committee a few moments ago and requested that you be given an executive session, and that request has been honored by the committee.

Mr. MEYERS. Requested in lieu of an open session. We don't request any session, but we want it in lieu of an open session.

Mr. SCHIERER. Let us get on.

Mr. TAVENNER. When and where were you born, Mr. Gyurko?

Mr. GYURKO. When?

Mr. TAVENNER. Yes, when—when and where?

Mr. GYURKO. March 15, 1919, in South Chicago, Ill. This district.

Mr. TAVENNER. Where do you reside?

Mr. GYURKO. I reside in Hammond, 3835—176th Place.

Mr. TAVENNER. How long have you been a resident of Hammond?

Mr. GYURKO. Well, I would have to consult my mother, because I was just a few years old, maybe 1923 or 1924.

Mr. TAVENNER. What is your present employment?

Mr. GYURKO. I work in the steel mills as a steelworker.

Mr. TAVENNER. How long have you worked in that capacity?

Mr. GYURKO. It was 18 years ago last October.

Mr. TAVENNER. While you have been employed in the steel mills at Hammond have you been—

Mr. GYURKO. Hammond, sir?

Mr. TAVENNER. Where did you say—Hammond?

Mr. GYURKO. No. No, I didn't. I did not say Hammond.

Mr. TAVENNER. Where did you say you now reside?

Mr. GYURKO. I live in Hammond.

Mr. TAVENNER. Where are you employed?

Mr. GYURKO. In Inland Steel, Indiana.

Mr. TAVENNER. I beg your pardon. Where is that located?

Mr. GYURKO. Indiana Harbor.

Mr. TAVENNER. That is in Lake County?

Mr. GYURKO. That is right.

Mr. TAVENNER. Indiana?

Mr. GYURKO. That is right.

Mr. TAVENNER. How long have you been employed at Inland Steel?

Mr. GYURKO. It has been 18 years last October.

Mr. TAVENNER. Will you tell the committee, please, whether or not there is at this time an organized group of the Communist Party among the employees of Inland Steel?

(The witness conferred with his counsel.)

Mr. GYURKO. I don't think it is a valid question under the first amendment to ask me on that question. I don't think the committee has a right to come to this community and ask me that question. Under my rights under the first amendment I understand I don't have to answer it.

Mr. SCHIERER. I ask that you direct the witness.

Mr. GYURKO. Furthermore, it is not pertinent.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. GYURKO. Furthermore, it is not pertinent to your powers or your authority.

Mr. TAVENNER. Since he was directed to answer, the witness now says it was not a pertinent question. So he raises that objection.

Mr. MEYERS. He raises more. I don't know if you heard it.

Mr. TAVENNER. Did he raise the fifth amendment?

Mr. MEYERS. No.

Mr. TAVENNER. What other question did he raise after raising the question of pertinency?

Mr. MEYERS. He sought to——

Mr. TAVENNER. I am not asking you. I am asking the witness.

(The witness conferred with his counsel.)

Mr. GYURKO. I don't think you are authorized to do this type of questioning, and I don't think it is pertinent.

Mr. TAVENNER. That is what I understood you to say. You have read the opening statement by the chairman, have you not?

(The witness conferred with his counsel.)

Mr. GYURKO. I didn't read it. No, I didn't read it.

Mr. TAVENNER. A copy was given to your attorney during the noon hour. Did you see it in his possession?

Mr. MEYERS. Were you with me?

Mr. GYURKO. I went out to eat with my wife. I didn't go with him at noon.

Mr. TAVENNER. Your attorney did not call it to your attention?

Mr. MEYERS. Tell him.

Mr. GYURKO. No. I didn't go with him.

Mr. SCHIERER. That isn't the question, whether you went with him or not. Did he, or didn't he, call it to your attention?

Mr. TAVENNER. Did he or didn't he?

Mr. GYURKO. No, I said no.

Mr. TAVENNER. It would seem that if you knew you were to be called as a witness and that your counsel requested a copy of this opening statement, if you meant to be raising a question seriously here about pertinency, that you would at least inquire as to the opening statement which the chairman made.

(The witness conferred with his counsel.)

Mr. TAVENNER. Why didn't you do it?

(The witness conferred with his counsel.)

Mr. MEYERS. I might say that the attorney didn't get a copy until today. I heard the statement yesterday but I didn't——

Mr. TAVENNER. Were you in the hearing room just before the noon recess?

Mr. GYURKO. Yes.

Mr. TAVENNER. You heard the question raised there by the witness, Mr. Victor Malis, that he had not seen a copy of the opening statement, and therefore the meeting was adjourned at that time so that he could read it and so his counsel, who is now your counsel, could also have it. You heard all that, didn't you?

Mr. GYURKO. Yes.

Mr. TAVENNER. Then why didn't you examine it during the noon hour?

(The witness conferred with his counsel.)

Mr. SCHIERER. Or since?

(The witness conferred with his counsel.)

Mr. GYURKO. If I remember right, when that question came up, you give him a copy and you told him to go read it during lunch hour.

Mr. TAVENNER. That is right.

Mr. GYURKO. You told him to read it.

Mr. TAVENNER. And I gave a copy to his attorney, who is now your attorney.

Mr. GYURKO. Pardon me for interrupting. They were reading it; I wasn't. I went to lunch.

Mr. TAVENNER. You weren't interested in reading it, were you?

(The witness conferred with his counsel.)

Mr. GYURKO. I didn't know I was supposed to read it during lunch hour.

Mr. TAVENNER. Let me tell you briefly——

Mr. GYURKO. Pardon me——

Mr. TAVENNER. That the chairman announced in his opening statement that the subject of this hearing was the reception of evidence relating to the techniques and tactics of the Communist Party in its infiltration of basic industry and also the extent and character and objects of Communist Party propaganda activities within basic industry. That is the subject under inquiry. The question that was asked you related to your knowledge of Communist Party activities within basic industry now.

That is pertinent because it relates to the very subject which the committee is undertaking to consider. It is self-evident from the nature of the question that it is pertinent to the subject, and it is hard to understand how your objection is based on good faith.

Now with that explanation, Mr. Chairman, I request that the witness be directed to answer.

The CHAIRMAN. Yes. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. GYURKO. First of all, it is pretty vague to me—your line of questioning.

Mr. SCHIERER. Did not your counsel just tell you to say that—that it is pretty vague to you? Didn't your counsel just tell you to say that?

(The witness conferred with his counsel.)

Mr. GYURKO. Sir, I have hired this lawyer to be my counsel, and I think I have a right to talk with him.

Mr. SCHIERER. No one said you did not have. There is a calculated plan afoot to delay these hearings and harass the committee by you and your lawyer. It is so obvious. Mr. Chairman, I ask you to direct the witness to answer the question.

The CHAIRMAN. You are directed to answer the question.

Mr. SCHIERER. If he does not answer, let us go on.

(The witness conferred with his counsel.)

Mr. GYURKO. Your powers and authority are vague, and I still stand on the first amendment.

Mr. TAVENNER. Are you now an active member of the Communist Party?

(The witness conferred with his counsel.)

Mr. GYURKO. Same answer.

Mr. TAVENNER. I have no further questions.

Mr. SCHIERER. I think there should be a direction to answer.

The CHAIRMAN. Yes. You are directed to answer that question.

(The witness conferred with his counsel.)

Mr. GYURKO. Same answer.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. All right. Call your other witnesses.

Mr. TAVENNER. Will you call Mr. Chris Malis to come in?

The CHAIRMAN. Mr. Malis, will you raise your right hand? Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MALIS. I do.

TESTIMONY OF CHRIS MALIS, ACCOMPANIED BY COUNSEL, IRVING MEYERS

Mr. TAVENNER. Will you state your name, please?

Mr. MALIS. Chris Malis.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. MEYERS. My name is Irving Meyers. I am a lawyer from Chicago.

At this moment I wish to protest the presence of two men who, I understand, are from the Department of Justice sitting in the audience. I understand they are not with the committee, but they are from the Department from Mr. Walter's statement.

The CHAIRMAN. That is right.

Mr. TAVENNER. When and where were you born, Mr. Malis?

Mr. MEYERS. Are they given the right to sit in on this session?

Mr. TAVENNER. Yes. They have been.

Mr. MALIS. I was born in Gary, Ind., April 11, 1918.

Mr. TAVENNER. You were called in open session of the committee and requested a closed session, which request was granted. Why did you request a closed session?

Mr. MALIS. Because I feel that this concerns me alone. I think there has been too much unfair publicity given me before even a single question was asked.

Mr. TAVENNER. If it had been in open session, you would have had an opportunity to have made an open and public denial of any testimony that adversely affected you during the course of the hearing.

Mr. MALIS. I am not the most fluent speaker. I feel like I want to have time to try to gather my thoughts the best I can and also to consult with my counsel, if I found it necessary.

Mr. TAVENNER. You didn't really want to make an open, public statement denying the testimony that had been introduced here regarding you, did you?

(The witness conferred with his counsel.)

Mr. MALIS. I feel that I appeared here as a subpoenaed witness. I am not here because I wanted to. I came here because a subpoena was served me. I feel that too much publicity has come of this already, and I don't want any further publicity.

Mr. TAVENNER. Mr. Malis, how are you employed?

Mr. MALIS. I am employed in the plate mill of Gary Works.

Mr. TAVENNER. How long have you been employed there?

Mr. MALIS. Since September of 1939, with two and one-half years for service in the United States Navy.

Mr. TAVENNER. During what period of time were you in the United States Navy?

Mr. MALIS. From May of 1943 to November of 1945.

Mr. TAVENNER. Will you tell the committee, please, whether at this time there is an organized group of the Communist Party working among the employees in the Gary plant where you are employed? (The witness conferred with his counsel.)

Mr. MALIS. Before I answer that question, I would like to set the record straight a little bit. I am not capable of gathering my thoughts as some people are; and, since I have been served this subpoena, I have done a lot of thinking about it, and I jotted down a few notes that I would like to read here before I answer that question.

I would like to state them here. I think that——

The CHAIRMAN. It is a simple question. You can answer the question.

Mr. MALIS. I feel it possibly can be answered simply. But I feel that there is a lot more involved here than just a simple answer, and I think when I make that answer I want it a little clearer, a little more clearer, why I arrived at such an answer.

The CHAIRMAN. Let us have your answer first and then you can explain your answer.

Mr. MALIS. Explain it immediately after I make the answer?

The CHAIRMAN. Yes.

Mr. MALIS. I refuse to answer that question on the grounds that it is an invasion of my rights as guaranteed under the first amendment to the Constitution, that my rights of freedom of speech and of association are my concern and beyond the scope of this committee. I also feel that you do not have the authority to ask these questions under the powers given to you by Congress. I also believe that the question doesn't have any relationship to whatever powers you are given by Congress.

And I would like to state here in a few words just a little why I am prompted to make the answer that I am.

Mr. TAVENNER. I do not understand it as an answer. I understand it as a refusal to answer.

Mr. MALIS. I refuse to answer on the grounds of my rights under the first amendment.

The CHAIRMAN. All right. You refuse to answer that question. Ask the next question.

Mr. MALIS. You told me that I could give my statement as soon as I answered the question, and you have just said that I have answered the question.

The CHAIRMAN. You have not answered the question.

Mr. MALIS. I just asked you just prior to answering, if I could read my brief statement here, and you said I would be given a chance.

The CHAIRMAN. You are not explaining why you did not answer the question. You just want to read a statement.

Mr. MALIS. Yes.

The CHAIRMAN. Go ahead. Read the statement.

Mr. MALIS. Yes. That is right.

Mr. MEYERS. He said go ahead.

Mr. MALIS. I am here reluctantly in response to the subpoena served me. The publicity already given the subpoena tends to cast a veil of

suspicion over not only me but my family, my relatives who carry the same name, and possibly on other people I consider my friends.

Mr. SCHERER. Just a minute. Let me interrupt. Is that suspicion that you talk about unfounded?

Mr. MALIS. I believe it is.

Mr. SCHERER. Is it wrong?

Mr. MALIS. I believe the mere fact that I got a subpoena which did not say what I was accused of, it merely stated that I was——

The CHAIRMAN. You are not accused of anything. This is a congressional inquiry. No one is charged with anything at all. We are seeking information.

Mr. MALIS. Mr. Chairman, I feel that there has been a lot of publicity already, that maybe it is beyond your control. But, nevertheless, the newspapers have carried articles and people that know me from the labor union and my neighbors, the people I work with, are already starting to make impressions on me just from the fact that I have a subpoena.

Mr. SCHERER. We will settle it quickly. You have been identified as a member of the Communist Party. Do you deny that testimony before this committee is true? If you do, then perhaps we can wipe away the suspicion you talk about.

Mr. MALIS. I ask that I be able to finish the statement. That is all I am asking, and I have that permission I believe from the chairman.

The CHAIRMAN. All right. Read it.

Mr. MALIS. The publicity already given the subpoena tends to cast a veil of suspicion not only over me, but family and relatives who carry the same name, and possibly on people I consider my friends. I am not accused of, nor have I committed, any crime. Yet I have felt compelled to hire a lawyer to protect my legal rights.

I have always paid my debts and my taxes. My record of over eighteen years of employment in U. S. Steel is free from any reprimand. I have served in the Navy, as I mentioned. I have strived to be honest and decent to all people I have known, my friends, my neighbors, my union brothers, and the men I work with on the job.

I feel that Chief Justice Warren in his Watkins report has made a statement that puts the issue squarely, "Who can define the meaning of 'un-American'?"

Mr. Warren also states in his decision on the Watkins case, and I would just like to read one paragraph from this, and I am finished:

Abuses of the investigative process may imperceptibly lead to abridgment of protected freedoms. The mere summoning of a witness and compelling him to testify, against his will, about his beliefs, expressions, or associations is a measure of governmental interference. And when those forced revelations concern matters that are unorthodox, unpopular, or even hateful to the general public, the reaction in the life of the witness may be disastrous. This effect is even more harsh when it is past beliefs, expressions, or associations that are disclosed and judged by current standards rather than those contemporary with the matters exposed. Nor does the witness alone suffer the consequences. Those who are identified by witnesses and thereby placed in the same glare of publicity, are equally subject to public stigma, scorn, and obloquy.

Beyond that, there is the more subtle and immeasurable effect upon those who tend to adhere to the most orthodox and uncontroversial views and associations in order to avoid a similar fate at some future time. That this impact is partly the result of nongovernmental activity by private persons cannot relieve the investigators of their responsibility for initiating the reaction.

Mr. TAVENNER. I am not certain that the witness has been directed to answer this question.

The CHAIRMAN. He was directed to answer the question.

Mr. MALIS. Would you repeat the question, please? I think I have an idea, but I am not absolutely clear.

Mr. TAVENNER. Yes. I think you better read the question to him. (The record was read by the reporter.)

Mr. MALIS. I repeat my other answer that I refuse to answer that question on the grounds that it is an invasion of my rights as guaranteed on the first amendment, freedom of association and freedom of speech. I also feel that I do not believe that you have the authority to ask that question under the powers given you by Congress, and I don't believe the question has any relationship to whatever powers you are given by Congress.

Mr. TAVENNER. May I have a direction?

The CHAIRMAN. You are directed to answer the question.

Mr. MALIS. I have the same answer that I just finished stating.

Mr. TAVENNER. Will you tell the committee, please, whether or not at this time the Communist Party is concentrating in an effort to strengthen its organization among the employees at your mill?

Mr. MALIS. I refuse to answer that question on the grounds that I have just finished stating.

Mr. TAVENNER. Are you now raising the question of the pertinency of that question to the subject of this inquiry?

(The witness conferred with his counsel.)

Mr. MALIS. Yes, I believe that was included in my reply.

Mr. TAVENNER. Yes. And you continue to raise that question?

Mr. MALIS. Yes; I do.

Mr. TAVENNER. The subject of this inquiry relates to the activities of the Communist Party in infiltration in labor within basic industry and the techniques and tactics used by the Communist Party in that respect. The question that I asked you about the activity of the Communist Party at this time is pertinent to that question because it is self-evident that the only way by which the committee can obtain information relating to this subject is to ask you and others as witnesses what those activities are.

Now, I think that shows the pertinency, and I ask for a direction.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. MALIS. I still do not understand the meaning of pertinency, but I decline to answer the question for the same reasons given.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. All right. The witness is excused.

Do you have one more witness?

Mr. TAVENNER. Yes, sir.

The CHAIRMAN. Will you raise your right hand? Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MALIS. I do.

TESTIMONY OF WALTER MALIS, ACCOMPANIED BY COUNSEL,
IRVING MEYERS

Mr. TAVENNER. You are Mr. Walter Malis?

Mr. MALIS. Right.

Mr. TAVENNER. It is noted that you are accompanied by the same counsel who represented the former witness.

Mr. MEYERS. My name is Irving Meyers, Chicago, Ill.

And at this time I wish to protest the presence of two persons here, not members of the committee, who Congressman Walter identified as employed by the Department of Justice.

Mr. TAVENNER. When and where were you born, Mr. Malis?

Mr. MALIS. I was born on June 27, 1911 in Springfield, Ill.

Mr. TAVENNER. Where do you now reside?

Mr. MALIS. Address is 2155 Carolina Place.

Mr. TAVENNER. In Gary?

Mr. MALIS. The mailing address is Crown Point, Ind.

Mr. TAVENNER. How long have you lived in Gary or Lake County, Ind.?

Mr. MALIS. I have lived here 45 years.

Mr. TAVENNER. How are you employed?

Mr. MALIS. At the U. S. Steel in Gary.

Mr. TAVENNER. At what plant?

Mr. MALIS. Gary Works.

Mr. TAVENNER. Is that known as the Big Mill?

Mr. MALIS. Yes, sir.

Mr. TAVENNER. How long have you been employed there?

Mr. MALIS. Twenty-one years.

Mr. TAVENNER. Mr. Malis, the committee is undertaking to obtain evidence relating to the techniques and tactics of the Communist Party in its infiltration into the steel plants and also the extent, character, and objects of Communist Party propaganda activities within those plants. The committee is interested to know from you just what activities the Communist Party is engaged in in your plant now, that is, the plant where you work.

(The witness conferred with his counsel.)

Mr. MALIS. Are you asking me a question?

Mr. TAVENNER. Yes, that was a question.

Mr. MALIS. I don't understand the question. Will you state it again?

Mr. TAVENNER. I say the committee is interested to know and therefore I ask you the question: What type of Communist Party activities are being engaged in at this time in the plant where you work?

(The witness conferred with his counsel.)

Mr. MALIS. At this time I will refuse to answer this question using my right under the first amendment not to answer. My associations are my own. Also, I don't feel that this committee has the right to ask of me this question.

Mr. TAVENNER. Why do you feel the committee hasn't—

The CHAIRMAN. Just a minute. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. MALIS. Well, I decline to answer on the basis of the Watkins decision as explained to me by my attorney.

(The witness conferred with his counsel.)

Mr. MALIS. Also on the other ground, the first amendment.

Mr. TAVENNER. After that statement, I would like again to ask that the witness be directed to answer the question.

The CHAIRMAN. You are directed to answer the question.

Mr. MALIS. It is the same answer.

Mr. TAVENNER. Are you a member, and an active member in the Communist Party at this time?

(The witness conferred with his counsel.)

Mr. MALIS. I decline to answer for the same reasons.

Mr. SCHERER. I ask that you direct the witness to answer that question.

The CHAIRMAN. You are directed to answer that question.

Mr. MALIS. I decline for the same reason.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. The committee will stand in recess.

(Whereupon, at 3:15 p. m., Tuesday, February 11, 1957, the committee recessed, subject to the call of the Chair.)

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